



DEPARTMENT OF CONSUMER AFFAIRS

**COURT REPORTERS BOARD**

**OF CALIFORNIA**

2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833

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**MEETING OF THE COURT REPORTERS BOARD**

**Tuesday, March 28, 2023  
9:00 a.m. to conclusion**

**PUBLIC TELECONFERENCE MEETING**

If Joining by Computer:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=mebad1b60fcb6cfcb2c2ec3d29f61da27>

Event number: 2485 940 8618

Event passcode: CRB03282023

If Joining by Phone:

Audio conference: US Toll 1-415-655-0001

Access code: 248 594 08618

Event passcode: 27203282

To observe the meeting without making public comment (provided no unforeseen technical difficulties), please visit: [thedcapage.blog/webcasts/](http://thedcapage.blog/webcasts/)

**NOTE:** Pursuant to Government Code, section 11133, subdivision (b), the teleconference location from where each Board member will be participating is not being provided.

**AGENDA**

**Board Members: Robin Sunkees, Chair; Davina Hurt, Vice Chair; Laura Brewer; Arteen Mnayan; and Denise Tugade.**

**Action may be taken on any item on the agenda.**

**CALL TO ORDER, ROLL CALL AND ESTABLISHMENT OF A QUORUM – Robin Sunkees, Chair**

- 1. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA ..... 4  
The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a)).
- 2. REVIEW AND APPROVAL OF DECEMBER 14, 2022, MEETING MINUTES ..... 5
- 3. DEPARTMENT OF CONSUMER AFFAIRS UPDATE ..... 14

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	4.4 License Exam	
	4.5 Technology Modernization	
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	Discussion and possible action	
	5.1 <a href="#">AB 709</a> (McKinnor) – Transcripts: criminal proceedings: exculpatory evidence.	
	5.2 <a href="#">AB 1070</a> (Low) – Department of Consumer Affairs: vacancies.	
	5.3 <a href="#">SB 21</a> (Umberg) – Civil actions: remote proceedings: continuances and postponements.	
	5.4 <a href="#">SB 22</a> (Umberg) – Courts: remote proceedings.	
	5.5 <a href="#">SB 331</a> (S. Rubio) – Family law: rules and procedures.	
	The Board may discuss other items of legislation not listed here in sufficient detail to determine whether such items should be on a future Board meeting agenda and/or whether to hold a special meeting of the Board to discuss such items pursuant to Government Code, section 11125.4.	
6.	<u>REGULATIONS</u> .....	31
	Title 16, Section 2403, 2411, and 2414 – Voice Writing Skill Curriculum	
	Discussion and possible action to revise a rulemaking to amend Title 16, California Code of Regulations, sections 2403, 2411, and 2414.	
7.	<u>LICENSE/CERTIFICATE RECIPROCITY</u> .....	42
	Discussion and possible action to allow reciprocity with the Certified Verbatim Reporter certification from the National Verbatim Court Reporters Association.	
8.	<u>2019-2023 STRATEGIC PLAN</u> .....	43
	Update on Board on action plan	
9.	<u>FUTURE MEETING DATES</u> .....	45
	Discussion and possible action to schedule future meeting dates.	
10.	<u>CLOSED SESSION</u> .....	47
	Pursuant to Government Code, section 11126, subdivision (a)(1), the Board will meet in closed session to conduct the annual evaluation of its executive officer.	
11.	<u>SUNSET REVIEW</u> .....	48
	Discussion to initiate report for Court Reporters Board Sunset Review.	

**ADJOURNMENT**

Action may be taken on any item on the agenda. Items may be taken out of order or held over to a subsequent meeting, for convenience, to accommodate speakers, or to maintain a quorum. Meetings are open to the public except when specifically noticed otherwise, in accordance with the Open Meeting Act. Members of the public are not required to submit their name or other information to attend the meeting.

Please note the Board may ask members of the public to limit their comments to three minutes, unless, at the discretion of the Board, circumstances require a shorter period; the Board will advise when the three-minute time limit is approaching.

The meeting is accessible to the physically disabled. To request disability-related accommodations, contact the board using the information listed below. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

To receive a copy of the supporting documents for the items on the agenda, please contact the Board within 10 days of the meeting or visit the Board's Calendar under "Quick Hits" at [www.courtreportersboard.ca.gov](http://www.courtreportersboard.ca.gov).

Contact Person: Paula Bruning  
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COURT REPORTERS BOARD MEETING – MARCH 28, 2023

**AGENDA ITEM 1 – Public Comment for Items Not on the Agenda**

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Public members are encouraged to provide their name and organization (if any).

The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting.

COURT REPORTERS BOARD MEETING – MARCH 28, 2023

**AGENDA ITEM 2 – Review and Approval of Meeting Minutes**

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Agenda Description:

Review and approval of December 14, 2022, minutes  
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Brief Summary:

Minutes from Board meetings  
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Support Documents:

Attachment – Draft minutes for December 14, 2022  
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Fiscal Impact: None  
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Recommended Board Action: Staff recommends the Board approve minutes.



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Attachment  
 Agenda Item 2

**COURT REPORTERS BOARD OF CALIFORNIA**  
**MINUTES OF OPEN SESSION**  
**DECEMBER 14, 2022**

**DRAFT**

CALL TO ORDER

Ms. Robin Sunkees, Chair, called the meeting to order at 9:00 a.m. The public meeting was held via a teleconference platform and a physical meeting location was not provided.

ROLL CALL

Board Members Present: Robin Sunkees, Licensee Member, Chair  
 Davina Hurt, Public Member, Vice Chair  
 Laura Brewer, Licensee Member  
 Arteen Mnayan, Public Member  
 Denise Tugade, Public Member

Staff Members Present: Yvonne K. Fenner, Executive Officer  
 Michael Romero, Board Counsel  
 Danielle Rogers, Regulations Counsel  
 Paula Bruning, Executive Analyst

Board staff established the presence of a quorum.

1. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Misty Klapper, CSR, requested the Board address the issue of expedite fees for copy sales.

2. REVIEW AND APPROVAL JULY 15, 2022, MEETING MINUTES

*Ms. Hurt moved to approve the minutes. Mr. Mnayan seconded the motion. Ms. Sunkees called for public comment. No comments were offered. A vote was conducted by roll call.*

For: Ms. Hurt, Mr. Mnayan, Ms. Tugade, and Ms. Sunkees  
 Opposed: None  
 Absent: None  
 Abstain: Ms. Brewer  
 Recusal: None

**MOTION CARRIED**

### 3. DEPARTMENT OF CONSUMER AFFAIRS UPDATE

Daryl Holloway of the Department of Consumer Affairs (Department/DCA) Division of Legislative Affairs provided a Department update.

#### New Staff at DCA

DCA leadership was recently appointed by the Governor. Melissa Gear is now serving as DCA's new deputy director of Board and Bureau Relations. Also, Yvonne Dorantes began serving as the new assistant deputy director of Board and Bureau Relations.

Additionally, Kathleen Nicholls was sworn in as chief of the Division of Investigation.

#### DCA Diversity, Equity, and Inclusion Steering Committee

Director Kirchmeyer established the Department's first diversity, equity, and inclusion steering committee (DEI committee) to guide the Department in its equity strategy, initiatives, and action plans. The DEI committee held its official kick-off meeting on November 9, 2022, and will convene its second meeting in January 2023.

The committee will focus on three core areas: workforce, workplace, and marketplace.

#### Strategic Planning

Effective July 2023 and beyond, Governor Newsom's executive order requires that strategic plans be developed or updated to more effectively advance equity and drive outcomes that increase opportunities for all. DCA is revising its strategic planning processes to incorporate more inclusive public engagement, data analysis, and embedding diversity, equity, and inclusion into the planning process. The DEI committee will inform the strategic planning process, and DCA will begin implementing the revised process and working with Boards by March 2023.

#### New DCA Strategic Plan and Logo

On November 2, 2022, DCA released its 2022-2027 Strategic Plan as well as unveiled its new logo. The new plan and logo represent the next chapter and future of the Department.

#### Our Promise Campaign

DCA is taking part in the annual Our Promise: California State Employees Giving at Work campaign. The campaign is celebrating 65 years of caring for California communities. Board and staff members are encouraged to participate in supporting non-profits of their choice.

#### Board Member Travel

As a reminder, state travel must be arranged through DCA's approved travel agency, CalTravelStore, also known as Concur. The most economical fares must be selected when traveling on state business.

#### Required Board Member Training

Board members are required to complete the Board Member Orientation Training (BMOT) within the first year of appointment and reappointment. Additionally, Ethics Training must be completed within six months of appointment and repeated every two years. Sexual Harassment Prevention Training is required within the first year and every two years.

Lastly, Defensive Driver Training must be completed within the first year and every four years.

#### Partnership with the State Controller's Office

DCA is partnering with the State Controller's Office to share information with consumers and certain licensees about the Unclaimed Property program. Many DCA licensees will benefit from this partnership as it will educate them about their responsibilities to report unclaimed property and assist with compliance. The program is also a great resource for all consumers to locate their unclaimed property.

## 4. REPORT OF THE EXECUTIVE OFFICER

### 4.1 CRB Budget Report

Ms. Fenner provided a review of the Board's budget and referred the Board to page 20 of the Board agenda packet for the expenditure projections for fiscal month 3.

Ms. Hurt inquired if there would be any cost increases with the testing vendors. Ms. Fenner responded that the skills exam vendor, Realtime Coach, is currently under a two-year contract. Recent cost changes to the written knowledge exam contract with PSI are reflected in the report.

Ms. Fenner referred to the Board's overall fund condition on page 21 of the Board agenda packet, stating that the months in reserve balance provides a stable outlook.

### 4.2 Transcript Reimbursement Fund

Ms. Bruning indicated that the applications continue to be received for the Transcript Reimbursement Fund, primarily from pro per applicants. She reiterated that the Legislature allocated an additional one-time \$500,000 transfer to the TRF from the General Fund.

### 4.3 Enforcement Activities

Ms. Fenner referred to the enforcement statistics starting on pages 23 and 24 of the Board agenda packet. She indicated that data included complaints against licensees and firms.

Ms. Hurt noted that the number of cases referred to the AG's office were very low. Ms. Fenner reported that across the Department, the number of complaints that are rising to the level of AG referral is trending down.

Ms. Brewer asked if there was a reason for the uptick in complaints received since July. Ms. Fenner responded that it was likely due to the addition of firm registration.

### 4.4 Firm Registration Implementation

*This item was heard out-of-order following Agenda Item 4.5 and break.*



Ms. Fenner reported that there were 201 registered firms including licensee owned and non-licensee owned firms. Staff continues to educate and bring into compliance non-registered firms about the registration requirement as they are discovered.

#### 4.5 License Exam

Ms. Fenner indicated that the overall exam statistics began on page 25 of the Board agenda packet. She stated that 81 candidates that took the most recent skills exam, of which 28 were first-timers.

Ms. Hurt inquired if there were any trends or barriers for the passage of the English exam. Ms. Fenner stated that candidates need a relatively high level of proficiency in the English language to be successful as a court reporter. Although there are many bilingual reporters, the occupation is not as friendly to non-native-English speakers.

Ms. Tugade asked if voice writers were included in the most recently skills exam and how they performed on the test. Ms. Fenner stated that six candidates were admitted to the exam, of which four successfully uploaded completed tests. Results would be sent out soon.

Ms. Fenner requested participants for all four phases of the exam development workshops. She asked licensees to consider responding to the recruitment emails if they are able to help keep the license exam up-to-date and relevant. Some workshops are in-person, and some are remote.

Ms. Fenner stated that there was a good amount of responses to the Board's occupational analysis survey. However, the DCA Office of Professional Examination Services (OPES) requested to send out an additional 1,000 surveys and extended the response deadline to January 6, 2023.

Ms. Fenner reported that OPES had recently inquired if the Board would be interested in combining the two written examinations. Instead of the English and Professional Practice exams each being 100 questions each, they proposed a combined test of 150 questions. OPES shared concerns over the English exam pass rate. Ms. Fenner reiterated the need for a high level of English proficiency for court reporters. She stated the Board may want to include the proposal during its next strategic planning session. Board members agreed to having a full discussion with additional data at a later meeting or planning session.

***The Board took a break at 9:46 a.m. and returned to open session at 9:55 a.m.***

#### 4.6 Business Modernization

Ms. Fenner stated that Business Modernization would be referred to as Technology Modernization (Tech Mod) going forward. Ms. Kale has updated the business processing mapping to include voice writers and the firm registration process. The California Department of Technology is drafting contract documents for execution in early 2023.

The Board expressed appreciation to Board and DCA staff for their continued efforts.

## 5. LEGISLATION

Ms. Fenner stated that information regarding the bills the Board tracked during the last legislative session could be found beginning on page 31 of the Board agenda packet.

- 5.1 AB 156 (Committee on Budget) – Ms. Fenner reported that the bill was signed and chaptered on September 27, 2022, and allows the Board to license voice writers. Six voice writer candidates met the October 1, 2022, examination application deadline.

Ms. Fenner commended Ms. Kale for implementing the new legislation so quickly, having worked with the test vendor, the proctor subcontractor, and on updating the examination application.

She also expressed appreciation to the National Verbatim Reporters Association (NVRA) for their continued support during the process. Head of testing at NVRA, Linda Winfrey, assisted in getting the test up and running. NVRA President Maranda Sullivan-West tested the exam and worked with the proctor instructions.

The second part of AB 156 affecting the court reporting industry and the Board was the addition of “stenographer,” “reporter,” “court reporter,” “deposition reporter,” and “digital reporter,” to the list of protected terms. It is hoped this clarification will help attorneys and litigants be sure they are getting the services of a licensed court reporter for their deposition.

Ms. Brewer expressed her gratitude for all those who helped this bill along.

Ms. Fenner reported that bills for the next legislative year were beginning to be collected.

Ms. Hurt requested a report of how the Board contributed to AB 177 (Committee on Budget. Public Safety). Ms. Fenner stated that the Board did not track or take a position on AB 177 but did later become involved in a mandated work group with Judicial Council to explore remote reporting and court reporter supply issues. Ms. Sunkees was appointed as a member of the task force and Ms. Fenner attended the meetings as a member of the public. The two gave a presentation detailing the current number of court reporters and how the licensure of voice writers might turn the downward trend around. The group met over the summer and completed their report which recommends the courts pursue legislation for remote reporting for court proceedings. The Board will have an opportunity to take a position on any language that comes forward in a future legislative bill regarding the subject.

- 5.2 AB 225 (Gray) – No discussion.

- 5.3 AB 646 (Low) – No discussion.

- 5.4 AB 1662 (Gipson) – No discussion.

- 5.5 AB 1733 (Quirk) – No discussion.

- 5.6 SB 189 (Committee on Budget and Fiscal Review) – No discussion.

- 5.7 SB 848 (Umberg) – No discussion.
- 5.8 SB 1237 (Newman) – No discussion.
- 5.9 SB 1365 (Jones) – No discussion.
- 5.10 SB 1424 (Nielsen) – No discussion
- 5.11 SB 1443 (Roth) – No discussion.

## 6. REGULATIONS

### Title 16, Section 2450 – Fee Schedule

Ms. Rogers reported that September 23, 2022, the Office of Administrative Law (OAL) approved the regulation amendments to set the fee for firm registration. A link to the approved language was posted to the Board's website under the Firm Registration tab.

### Title 16, Section 2411 – Voice Writing Skill Curriculum

Ms. Rogers reported that the passage of AB 156 allowed for the licensure of voice writers in California. The Voice Writers Task Force met to develop the curriculum for the skills portion of the prescribed course of study for approval by the full Board. She stated the proposed regulatory language was provided in the Board agenda packet starting on page 34.

Ms. Brewer suggested amendments to the language. Ms. Fenner stated that OPES suggested the Board remove any reference to equipment specific to voice writers or stenographic writers since it will not apply to both. She agreed that any reference to stenographic notes should be amended to “stenographic or voice notes.” She had requested the task force only look at the skills portion of the language; however, it is now evident that she should have requested they review the academics as well.

Ms. Hurt thanked Margaret Ortiz, Linda Winfrey, and Jocelyn Epperson for their participation on the task force.

The Board agreed to the following additional amendments to the proposed regulatory language:

- Section 2411(d)(2)(C) – Management of pertinent records, including stenographic and/or voice notes, work sheet, financial records, daily reporting jobs, exhibits, and transcripts.
- Section 2411(i)(3) – The student shall demonstrate the ability to produce a transcript from the student's own stenographic and/or voice notes in compliance with the Minimum Transcript Format Standards.
- Section 2411(i)(4) – The student shall spend a minimum of 10 hours in realtime writing. The student shall also demonstrate the ability to set up and connect the components to provide interactive realtime. Interactive realtime is defined as the student outputting to a second ~~computer~~ device.

- Section 2411(i)(5) – The student shall demonstrate knowledge of how to prepare an electronic file from the student's own stenographic and/or voice notes.
- Section 2411(j) – “Interactive realtime” is defined as the student outputting to a second computer device.”

*Ms. Hurt moved to approve the proposed regulatory text for section 2411 with the additional amendments outlined above; direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review; and, if no adverse comments are received, authorize the executive officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the executive officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at section 2411 as noticed. Ms. Brewer seconded the motion. Ms. Sunkees called for public comment. No comments were offered. A vote was conducted by roll call.*

For: Ms. Brewer, Ms. Hurt, Mr. Mnayan, Ms. Tugade, and Ms. Sunkees  
 Opposed: None  
 Absent: None  
 Abstain: None  
 Recusal: None

***MOTION CARRIED***

7. SUNSET REVIEW

Ms. Fenner reported that SB 1443 (Roth) extended the Board’s sunset date to January 1, 2025. The Board’s sunset review hearing with the Legislature will be held in the spring of 2024, which means its sunset review report will be due around the end of 2023. Although staff will provide much of the data for the report, the Board’s input will be essential in responding to the issues in the last sunset review as well as identifying future issues confronting the Board. The members decided to participate in the process as a Board versus appointing a task force.

Kimberly D’Urso, President, Protect Your Record Project, asked when input can be submitted regarding the Board’s sunset review. Ms. Fenner responded that the Board’s meetings to develop the the sunset review report will be publicly noticed, at which time input may be provided to the Board. Additionally, input may be submitted to the Legislature during the legislative hearings in 2024, which have not yet been scheduled.

8. STRATEGIC PLAN

Ms. Fenner pointed to the updated action plan for the Board’s strategic goals on page 43 of the Board agenda packet. She invited input on new prioritization of the goals as a result of events that have happened since the plan was developed. The Board has tentatively scheduled to meet for its strategic planning session and meeting on March 28 – 29, 2023. Ms. Fenner reiterated the need to address diversity and inclusion as directed by the Governor’s Office.

Ms. Brewer reminded the Board that it may discuss the OPES question about combining the two written exams.

Ms. Hurt asked if the status for investigating real-time captioning standards be updated to “Ongoing” or something else. Ms. Fenner stated that strategic goals target dates were developed before the pandemic. In addition, the Board was tasked with firm registration and voice writing during the current strategic plan term. As a result, staff was not able to accomplish all the action plan goals. When the Board meets for its next strategic planning session, it will review the initiatives that were not accomplished and determine if they are still pertinent to the industry and the Board’s priorities.

9. FUTURE MEETING DATES

Ms. Sunkees stated staff would poll the Board members offline for calendar availability for the next meeting.

***The Board convened into closed session from 11:00 a.m. to 11:25 a.m.***

10. CLOSED SESSION

10.1 Pursuant to Government Code section 11126(a)(1), the Board met in closed session to conduct the annual evaluation of its executive officer.

10.2 Pursuant to Government Code section 11126(c)(3), the Board may meet in closed session to discuss or act on disciplinary matters. This item was deferred as there were no cases to review.

ADJOURNMENT

Ms. Sunkees adjourned the meeting at 11:25 a.m.

\_\_\_\_\_  
ROBIN SUNKEES, Board Chair

\_\_\_\_\_  
DATE

\_\_\_\_\_  
YVONNE K. FENNER, Executive Officer

\_\_\_\_\_  
DATE

COURT REPORTERS BOARD MEETING – MARCH 28, 2023

**AGENDA ITEM 3 – Department of Consumer Affairs Update**

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Agenda Description: Report from the DCA Executive Office  
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Support Documents: None  
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Fiscal Impact: None  
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Recommended Board Action: Informational.  
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COURT REPORTERS BOARD MEETING – MARCH 28, 2023

**AGENDA ITEM 4 – Report of the Executive Officer**

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Agenda Description: Report on:

- 4.1 CRB Budget Report
- 4.2 Transcript Reimbursement Fund
- 4.3 Enforcement Activities
- 4.4 License Exam
- 4.5 Technology Modernization

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Support Documents:

- Attachment 1, Item 4.1 – FM7 Expenditure Projections FY2022-23
- Attachment 2, Item 4.1 – CRB Fund Condition
- Attachment 3, Item 4.2 – TRF Fund Condition
- Attachment 4, Item 4.3 – Enforcement Statistics
- Attachment 5, Item 4.4 – Exam Statistics

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Fiscal Impact: None

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Recommended Board Action: None

**Department of Consumer Affairs**

**Expenditure Projection Report**

Court Reporters Board of California

Reporting Structure(s): 11113110 Support

Fiscal Month: 7

Fiscal Year: 2022 - 2023

Run Date: 02/21/2023

Fiscal Code	PY Budget	PY FM13	Budget	YTD + Encumbrance	Projections to Year End	Balance
5100 PERMANENT POSITIONS	\$382,000	\$376,885	\$392,000	\$232,197	\$398,154	-\$6,154
5100 TEMPORARY POSITIONS	\$11,000	\$0	\$11,000	\$917	\$5,502	\$5,498
5105-5108 PER DIEM, OVERTIME, & LUMP SUM	\$13,000	\$9,285	\$14,000	\$6,440	\$8,000	\$6,000
5150 STAFF BENEFITS	\$213,000	\$228,655	\$231,000	\$150,640	\$265,000	-\$34,000
<b>PERSONAL SERVICES</b>	<b>\$619,000</b>	<b>\$614,824</b>	<b>\$648,000</b>	<b>\$390,193</b>	<b>\$676,656</b>	<b>-\$28,656</b>
5301 GENERAL EXPENSE	\$9,000	\$4,615	\$9,000	\$3,630	\$7,467	\$1,533
5302 PRINTING	\$1,000	\$10,046	\$1,000	\$6,121	\$6,121	-\$6,121
5304 COMMUNICATIONS	\$2,000	\$8,314	\$2,000	\$1,959	\$5,733	-\$5,733
5306 POSTAGE	\$0	\$1,561	\$0	\$1,667	\$3,036	-\$3,036
5308 INSURANCE	\$0	\$8	\$0	\$0	\$10	-\$10
53202-204 IN STATE TRAVEL	\$18,000	\$841	\$18,000	\$1,414	\$4,914	\$13,086
5322 TRAINING	\$0	\$0	\$0	\$0	\$0	\$0
5324 FACILITIES	\$49,000	\$54,266	\$49,000	\$53,041	\$55,659	-\$6,659
53402-53403 C/P SERVICES (INTERNAL)	\$278,000	\$23,012	\$278,000	\$5,319	\$10,591	\$267,409
53404-53405 C/P SERVICES (EXTERNAL)	\$89,000	\$30,308	\$89,000	\$53,707	\$63,890	\$25,110
5342 DEPARTMENT PRORATA	\$161,000	\$154,947	\$159,000	\$115,500	\$159,000	\$0
5342 DEPARTMENTAL SERVICES	\$0	\$39,250	\$0	\$62,039	\$127,085	-\$127,085
5344 CONSOLIDATED DATA CENTERS	\$3,000	\$26	\$3,000	\$12	\$3,000	\$0
5346 INFORMATION TECHNOLOGY	\$2,000	\$0	\$2,000	\$0	\$0	\$2,000
5362-5368 EQUIPMENT	\$11,000	\$7,050	\$2,000	\$0	\$0	\$2,000
5390 OTHER ITEMS OF EXPENSE	\$0	\$31,200	\$0	\$0	\$0	\$0
54 SPECIAL ITEMS OF EXPENSE	\$0	\$422	\$0	\$351	\$601	-\$601
<b>OPERATING EXPENSES &amp; EQUIPMENT</b>	<b>\$623,000</b>	<b>\$365,866</b>	<b>\$612,000</b>	<b>\$304,760</b>	<b>\$447,108</b>	<b>\$161,892</b>
<b>OVERALL TOTALS</b>	<b>\$1,242,000</b>	<b>\$980,690</b>	<b>\$1,260,000</b>	<b>\$694,953</b>	<b>\$1,123,764</b>	<b>\$133,236</b>

**10.57%**



0771 - Court Reporter's Board Fund Analysis of Fund Condition  
(Dollars in Thousands)  
2023-24 Governor's Budget w\_FM7

Prepared 3.7.23

	Actual 2021-22	CY 2022-23	BY 2023-24	BY +1 2024-25
BEGINNING BALANCE	\$ 770	\$ 1,068	\$ 1,229	\$ 1,216
Prior Year Adjustment	\$ 48	\$ 0	\$ 0	\$ 0
Adjusted Beginning Balance	\$ 818	\$ 1,068	\$ 1,229	\$ 1,216
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS				
Revenues				
4121200 - Delinquent fees	\$ 24	\$ 28	\$ 20	\$ 20
4127400 - Renewal fees	\$ 1,298	\$ 1,261	\$ 1,265	\$ 1,265
4129200 - Other regulatory fees	\$ 13	\$ 3	\$ 0	\$ 0
4129400 - Other regulatory licenses and permits	\$ 21	\$ 75	\$ 25	\$ 25
4163000 - Income from surplus money investments	\$ 5	\$ 20	\$ 16	\$ 17
4171400-Canceled Warrants Expenditures	\$ 1	\$ 1	\$ 0	\$ 0
Totals, Revenues	\$ 1,362	\$ 1,388	\$ 1,326	\$ 1,327
Operating Transfers To General Fund 0001 per EO E 21/22-276 Rev	\$ -39	\$ 0	\$ 0	\$ 0
Revenue Transfer to Transcript Reimbursement Fund per B&P Coc	\$ 0	\$ 0	\$ 0	\$ -100
Totals, Transfers and Other Adjustments	\$ -39	\$ 0	\$ 0	\$ -100
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$ 1,323	\$ 1,388	\$ 1,326	\$ 1,227
TOTAL RESOURCES	\$ 2,141	\$ 2,456	\$ 2,555	\$ 2,443
Expenditures:				
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 977	\$ 1,124	\$ 1,244	\$ 1,281
9892 Supplemental Pension Payments (State Operations)	\$ 25	\$ 25	\$ 25	\$ 25
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 71	\$ 78	\$ 70	\$ 70
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$ 1,073	\$ 1,227	\$ 1,339	\$ 1,376
FUND BALANCE				
Reserve for economic uncertainties	\$ 1,068	\$ 1,229	\$ 1,216	\$ 1,067
Months in Reserve	10.4	11.0	10.6	9.2

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing.  
Expenditure growth projected at 3% beginning BY +1.

0410 - Transcript Reimbursement Fund Analysis of Fund Condition  
(Dollars in Thousands)  
2023-24 Governor's Budget

Prepared 3.7.23

	ACTUALS 2021-22	CY 2022-23	BY 2023-24	BY +1 2024-25
BEGINNING BALANCE	\$ 174	\$ 570	\$ 376	\$ 180
Prior Year Adjustment	\$ 0	\$ 0	\$ 0	\$ 0
Adjusted Beginning Balance	\$ 174	\$ 570	\$ 376	\$ 180
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS				
Revenues				
4163000 - Income from surplus money investments	\$ 1	\$ 6	\$ 4	\$ 0
Totals, Revenues	\$ 1	\$ 6	\$ 4	\$ 0
Revenue Transfer from Court Reporters Fund per B&P Code Section 8030.2(d)	\$ 0	\$ 0	\$ 0	\$ 100
Totals, Transfers and Other Adjustments	\$ 0	\$ 0	\$ 0	\$ 100
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$ 1	\$ 6	\$ 4	\$ 100
TOTAL RESOURCES	\$ 175	\$ 576	\$ 380	\$ 280
Expenditures:				
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 105	\$ 200	\$ 200	\$ 200
Less Funding Provided by the GF	\$ -500	\$ 0	\$ 0	\$ 0
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$ -395	\$ 200	\$ 200	\$ 200
FUND BALANCE				
Reserve for economic uncertainties	\$ 570	\$ 376	\$ 180	\$ 80
Months in Reserve	34.2	22.6	10.8	4.8

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing.  
Expenditure growth projected at 3% beginning BY +1.

## Consumer Protection Enforcement Initiative Fiscal Year 2022-2023 Enforcement Report July 1, 2022 -February 28, 2023

### Complaint Intake

Complaints	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Received	19	11	11	14	12	8	7	14					96
Closed without Assignment for Investigation	0	0	0	0	0	0	0	0					0
Assigned for Investigation	19	11	11	14	12	8	7	14					96
Average Days to Close or Assign for Investigation	1	1	1	1	1	1	1	1					1
Pending	0	0	0	0	0	0	0	0					0*

Convictions/Arrests Reports	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Received	0	0	0	0	0	0	0	0					0
Closed	0	0	0	0	0	0	0	0					0
Average Days to Close	0	0	0	0	0	0	0	0					0
Pending	0	0	0	0	0	0	0	0					0*

### Investigation

Desk Investigation	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Initial Assignment for Desk Investigation **	19	11	11	14	12	8	7	14					96
Closed ***	10	7	19	13	7	8	15	11					90
Average Days to Close [Straightline] ***	47	27	58	38	72	84	63	72					57
Pending ***	27	31	23	24	29	29	21	24					26*

Field Investigation (Sworn)	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Assignment for Sworn Field Investigation	0	0	0	0	0	0	0	0					0
Closed	0	0	0	0	0	0	0	0					0
Average Days to Close	0	0	0	0	0	0	0	0					0
Pending *	0	0	0	0	0	0	0	0					0

All Investigation	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Closed **	10	7	19	13	7	8	15	11					90
Average Days to Close [Straightline]**	47	27	58	38	72	84	63	72					57
Pending **	27	31	23	24	29	29	21	24					26*

\* Average number of cases pending per month

\*\* Intake complaints and convictions

\*\*\* Intake complaints only

**Enforcement Actions**

AG Cases	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
AG Cases Initiated	0	1	0	0	0	0	0	0					1
AG Cases Pending	0	1	1	1	1	1	1	1					1
SOIs/Accusations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
SOIs Filed	0	0	0	0	0	0	0	0					0
SOIs Withdrawn	0	0	0	0	0	0	0	0					0
SOIs Dismissed	0	0	0	0	0	0	0	0					0
SOIs Declined	0	0	0	0	0	0	0	0					0
Average Days to Complete SOIs	0	0	0	0	0	0	0	0					0
Accusations Filed	0	0	0	0	1	0	0	0					1
Accusations Withdrawn	0	0	0	0	0	0	0	0					0
Accusations Dismissed	0	0	0	0	0	0	0	0					0
Accusations Declined	0	0	0	0	0	0	0	0					0
Average Days to Complete Accusations	0	0	0	0	104	0	0	0					104
Petition to Revoke Probation (PRP)	0	0	0	0	0	0	0	0					0
Average Days to Complete PRP	0	0	0	0	0	0	0	0					0
Decisions/Stipulations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Proposed/Default Decisions	0	0	0	0	0	0	0	0					0
Stipulations	0	0	0	0	0	0	0	0					0

Disciplinary Orders	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Final Orders (Proposed Decisions Adopted, Default Decisions, Stipulations)	1	0	0	0	0	0	0	0					1
Average Days to Complete [straightline]	163	0	0	0	0	0	0	0					163
Interim Suspension Orders	0	0	0	0	0	0	0	0					0

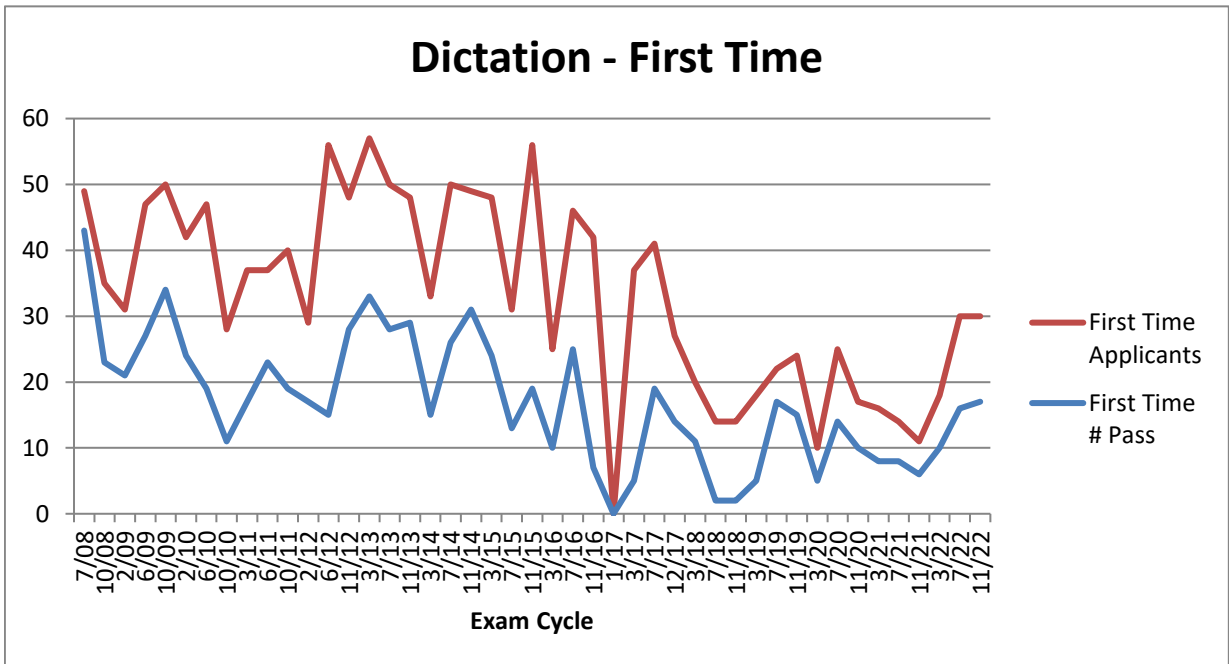
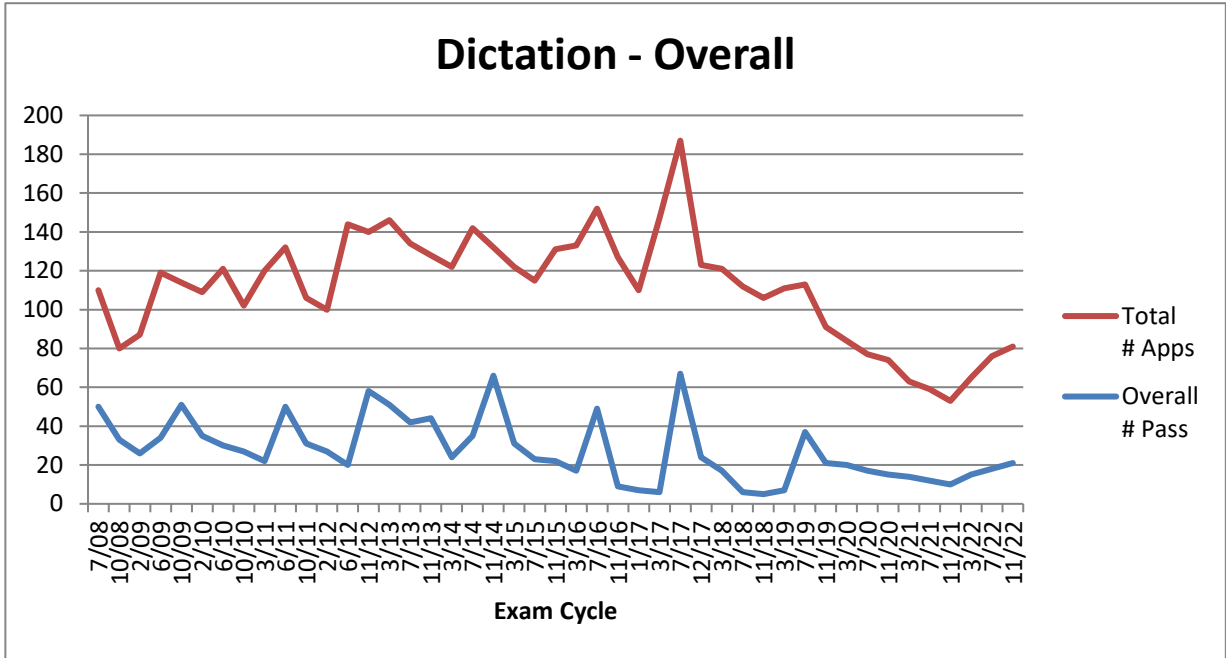
Citations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Final Citations	2	0	1	0	0	1	3	1					8
Average Days to Complete [straightline]	48	0	37	0	0	143	72	154					81

\* Average number of cases pending per month

Dictation Exam

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Jul 2008	110	50	45.5%	49	43	87.8%
Oct 2008	80	33	41.3%	35	23	65.7%
Feb 2009	87	26	29.9%	31	21	67.7%
Jun 2009	119	34	28.6%	47	27	57.4%
Oct 2009	114	51	44.7%	50	34	68.0%
Feb 2010	109	35	32.1%	42	24	57.1%
Jun 2010	121	30	24.8%	47	19	40.4%
Oct 2010	102	27	26.5%	28	11	39.3%
Mar 2011	120	22	18.3%	37	17	45.9%
Jun 2011	132	50	37.9%	37	23	62.2%
Oct 2011	106	31	29.2%	40	19	47.5%
Feb 2012	100	27	27.0%	29	17	58.6%
Jun 2012	144	20	13.9%	56	15	26.8%
Nov 2012	140	58	41.4%	48	28	58.3%
Mar 2013	146	51	34.9%	57	33	57.9%
Jul 2013	134	42	31.3%	50	28	56.0%
Nov 2013	128	44	34.4%	48	29	60.4%
Mar 2014	122	24	19.7%	33	15	45.5%
Jul 2014	142	35	24.6%	50	26	52.0%
Nov 2014	132	66	50.0%	49	31	63.3%
Mar 2015	122	31	25.4%	48	24	50.0%
July 2015	115	23	20.0%	31	13	41.9%
Nov 2015	131	22	16.8%	56	19	33.9%
March 2016	133	17	12.8%	25	10	40.0%
July 2016	152	49	32.2%	46	25	54.3%
Nov 2016	127	9	7.1%	42	7	16.7%
Jan 2017 (Nov 2016 retest)	110	7	6.4%	n/a	n/a	n/a
Mar 2017	147	6	4.1%	37	5	13.5%
Jul 2017	187	67	35.8%	41	19	46.3%
Dec 2017	123	24	19.5%	27	14	51.9%
Mar 2018	121	17	14.0%	20	11	55.0%
Jul 2018	112	6	5.4%	14	2	14.3%
Nov 2018	106	5	4.7%	14	2	14.3%
Mar 2019	111	7	6.3%	18	5	27.8%
Jul 2019	113	37	32.7%	22	17	77.3%
Nov 2019	91	21	23.1%	24	15	62.5%
Mar 2020	84	20	23.8%	10	5	50.0%
Jul 2020	77	17	22.1%	25	14	56.0%
Nov 2020	74	15	20.3%	17	10	58.8%
Mar 2021	63	14	22.2%	16	8	50.0%
Jul 2021	59	12	20.3%	14	8	57.1%
Nov 2021	53	10	18.9%	11	6	54.5%
Mar 2022	65	15	23.1%	18	10	55.6%
Jul 2022	76	18	23.7%	30	16	53.3%
Nov 2022	81	21	25.9%	30	17	56.7%

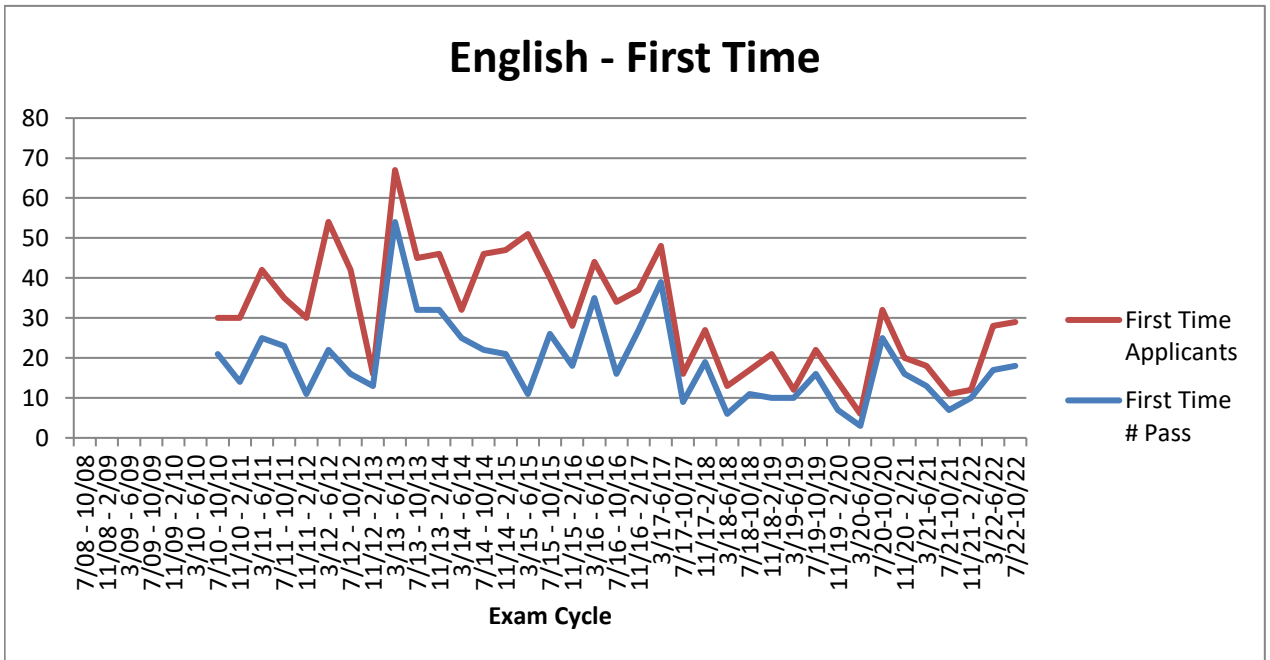
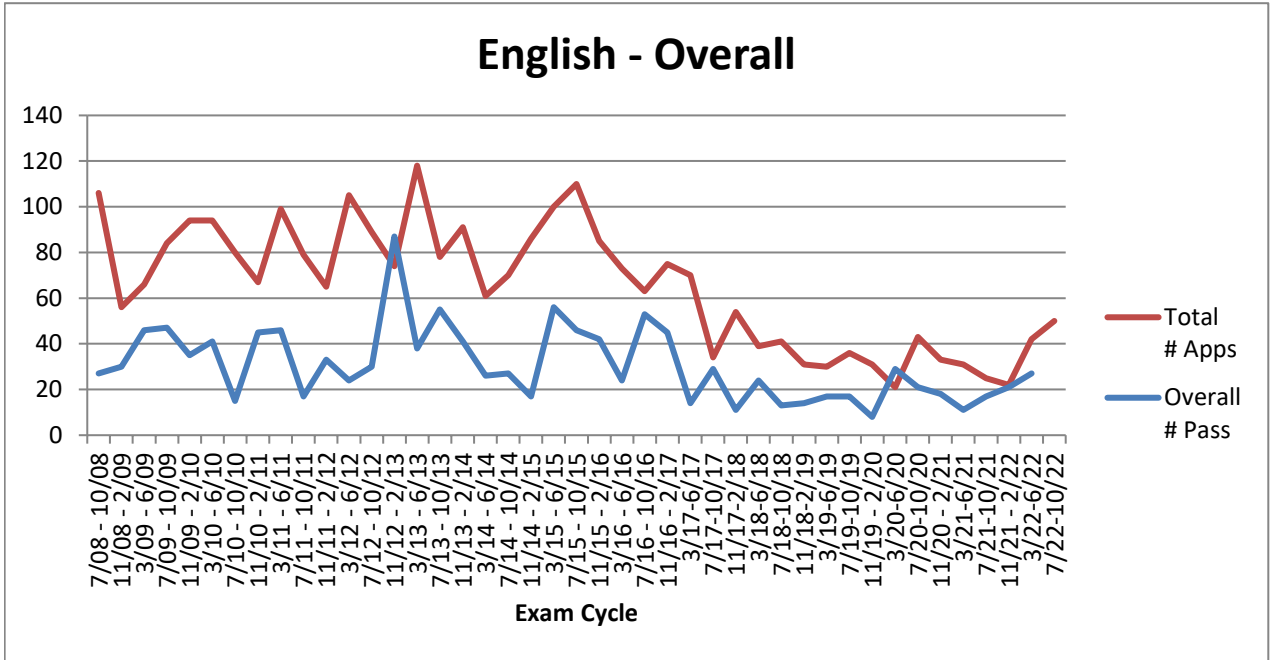
## Dictation Exam



## English Exam

<b>Exam Cycle</b>	<b>Total # Apps</b>	<b>Overall # Pass</b>	<b>Overall % Pass</b>	<b>First Time Applicants</b>	<b>First Time # Pass</b>	<b>First Time % Pass</b>
Jul 2008 - Oct 2008	106	71	65.7%			
Nov 2008 - Feb 2009	56	27	48.2%			
Mar 2009 - Jun 2009	66	30	45.5%			
Jul 2009 - Oct 2009	84	46	54.8%			
Nov 2009 - Feb 2010	94	47	50.0%			
Mar 2010 - Jun 2010	94	35	37.2%			
Jul 2010 - Oct 2010	80	41	51.3%	30	21	70.0%
Nov 2010 - Feb 2011	67	15	22.4%	30	14	46.7%
Mar 2011 - Jun 2011	99	45	45.5%	42	25	59.5%
Jul 2011 - Oct 2011	79	46	58.2%	35	23	65.7%
Nov 2011 - Feb 2012	65	17	26.2%	30	11	36.7%
Mar 2012 - Jun 2012	105	33	31.4%	54	22	40.7%
Jul 2012 - Oct 2012	89	24	27.0%	42	16	38.1%
Nov 2012 - Feb 2013	74	30	40.5%	16	13	81.3%
Mar 2013 - Jun 2013	118	87	73.7%	67	54	80.6%
Jul 2013 - Oct 2013	78	38	48.7%	45	32	71.1%
Nov 2013 - Feb 2014	91	55	60.4%	46	32	69.6%
Mar 2014 - Jun 2014	61	41	67.2%	32	25	78.1%
Jul 2014 - Oct 2014	70	26	37.1%	46	22	47.8%
Nov 2014 - Feb 2015	86	27	31.4%	47	21	44.7%
Mar 2015	100	17	17.0%	51	11	21.6%
Jul 2015 - Oct 2015	110	56	50.9%	40	26	65.0%
Nov 2015 - Feb 2016	85	46	54.1%	28	18	64.3%
Mar 2016 - Jun 2016	73	42	57.5%	44	35	79.5%
Jul 2016 - Oct 2016	63	24	38.1%	34	16	47.1%
Nov 2016 - Feb 2017	75	53	70.7%	37	27	73.0%
Mar 2017 - Jun 2017	70	45	64.3%	48	39	81.3%
Jul 2017 - Oct 2017	34	14	41.2%	16	9	56.3%
Nov 2017 - Feb 2018	54	29	53.7%	27	19	70.4%
Mar 2018 - Jun 2018	39	11	28.2%	13	6	46.2%
Jul 2018 - Oct 2018	41	24	58.5%	17	11	64.7%
Nov 2018 - Feb 2019	31	13	41.9%	21	10	47.6%
Mar 2019 - Jun 2019	30	14	46.7%	12	10	83.3%
Jul 2019 - Oct 2019	36	17	47.2%	22	16	72.7%
Nov 2019 - Feb 2020	31	17	54.8%	14	7	50.0%
Mar 2020 - Jun 2020	21	8	38.1%	6	3	50.0%
Jul 2020 - Oct 2020	43	29	67.4%	32	25	78.1%
Nov 2020 - Feb 2021	33	21	63.6%	20	16	80.0%
Mar 2021 - Jun 2021	31	18	58.1%	18	13	72.2%
Jul 2021 - Oct 2021	25	11	44.0%	11	7	63.6%
Nov 2021 - Feb 2022	22	17	77.3%	12	10	83.3%
Mar 2022 - Jun 2022	42	21	50.0%	28	17	60.7%
Jul 2022 - Oct 2022	50	27	54.0%	29	18	62.1%

# English Exam

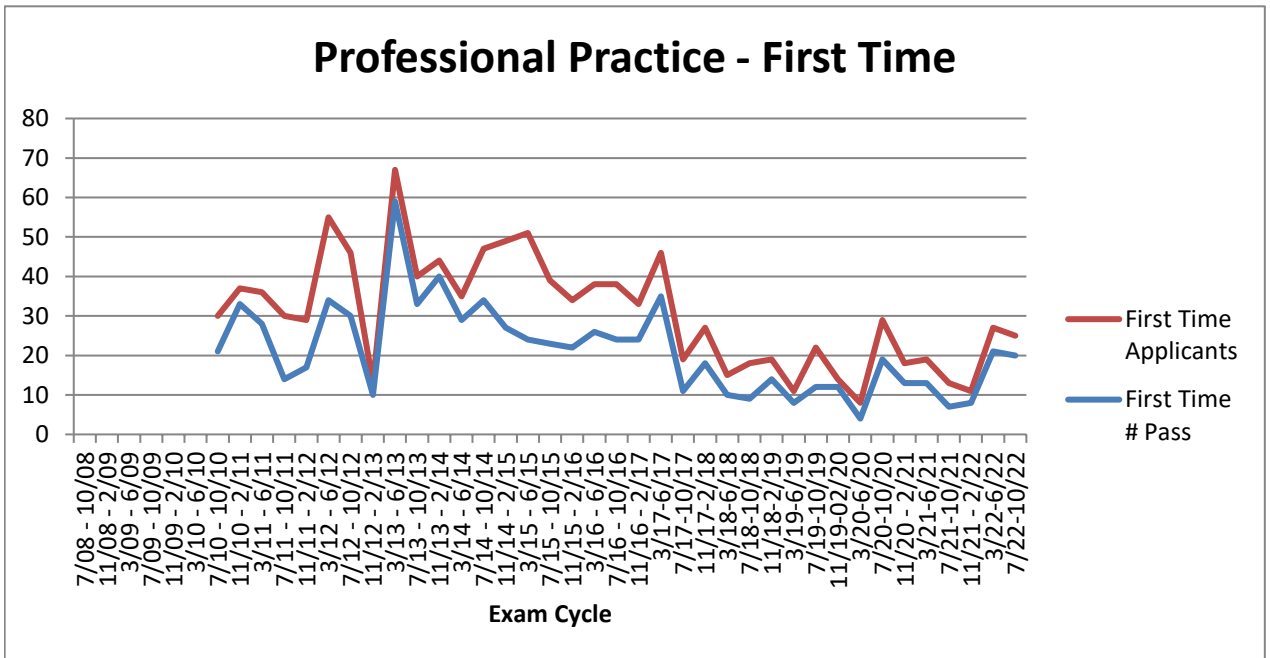
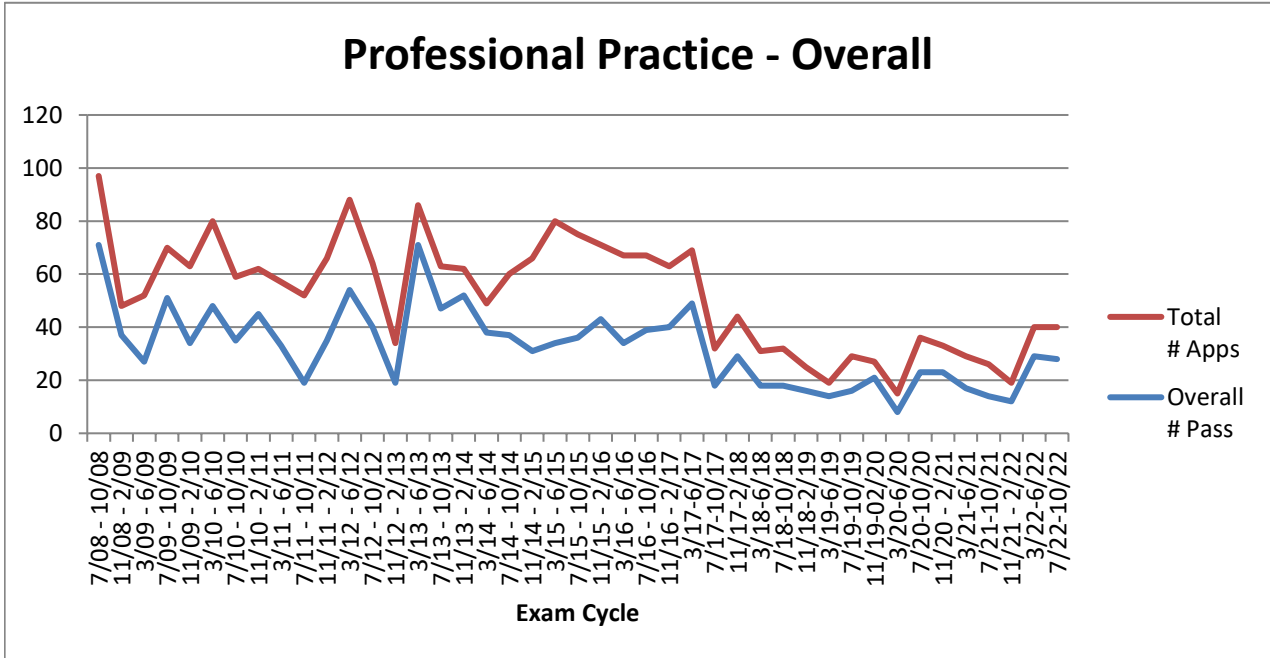




## Professional Practice Exam

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Jul 2008 - Oct 2008	97	71	73.2%			
Nov 2008 - Feb 2009	48	37	77.1%			
Mar 2009 - Jun 2009	52	27	51.9%			
Jul 2009 - Oct 2009	70	51	72.9%			
Nov 2009 - Feb 2010	63	34	54.0%			
Mar 2010 - Jun 2010	80	48	60.0%			
Jul 2010 - Oct 2010	59	35	59.3%	30	21	70.0%
Nov 2010 - Feb 2011	62	45	72.6%	37	33	89.2%
Mar 2011 - Jun 2011	57	33	57.9%	36	28	77.8%
Jul 2011 - Oct 2011	52	19	36.5%	30	14	46.7%
Nov 2011 - Feb 2012	66	35	53.0%	29	17	58.6%
Mar 2012 - Jun 2012	88	54	61.4%	55	34	61.8%
Jul 2012 - Oct 2012	64	40	62.5%	46	30	65.2%
Nov 2012 - Feb 2013	34	19	55.9%	13	10	76.9%
Mar 2013 - Jun 2013	86	71	82.6%	67	59	88.1%
Jul 2013 - Oct 2013	63	47	74.6%	40	33	82.5%
Nov 2013 - Feb 2014	62	52	83.9%	44	40	90.9%
Mar 2014 - Jun 2014	49	38	77.6%	35	29	82.9%
Jul 2014 - Oct 2014	60	37	61.7%	47	34	72.3%
Nov 2014 - Feb 2015	66	31	47.0%	49	27	55.1%
Mar 2015	80	34	42.5%	51	24	47.1%
Jul 2015 - Oct 2015	75	36	48.0%	39	23	59.0%
Nov 2015 - Feb 2016	71	43	60.6%	34	22	64.7%
Mar 2016 - Jun 2016	67	34	50.7%	38	26	68.4%
Jul 2016 - Oct 2016	67	39	58.2%	38	24	63.2%
Nov 2016 - Feb 2017	63	40	63.5%	33	24	72.7%
Mar 2017 - Jun 2017	69	49	71.0%	46	35	76.1%
Jul 2017 - Oct 2017	32	18	56.3%	19	11	57.9%
Nov 2017 - Feb 2018	44	29	65.9%	27	18	66.7%
Mar 2018 - Jun 2018	31	18	58.1%	15	10	66.7%
Jul 2018 - Oct 2018	32	18	56.3%	18	9	50.0%
Nov 2018 - Feb 2019	25	16	64.0%	19	14	73.7%
Mar 2019 - Jun 2019	19	14	73.7%	11	8	72.7%
Jul 2019 - Oct 2019	29	16	55.2%	22	12	54.5%
Nov 2019 - Feb 2020	27	21	77.8%	14	12	85.7%
Mar 2020 - Jun 2020	15	8	53.3%	8	4	50.0%
Jul 2020 - Oct 2020	36	23	63.9%	29	19	65.5%
Nov 2020 - Feb 2021	33	23	69.7%	18	13	72.2%
Mar 2021 - Jun 2021	29	17	58.6%	19	13	68.4%
Jul 2021 - Oct 2021	26	14	53.8%	13	7	53.8%
Nov 2021 - Feb 2022	19	12	63.2%	11	8	72.7%
Mar 2022 - Jun 2022	40	29	72.5%	27	21	77.8%
Jul 2022 - Oct 2022	40	28	70.0%	25	20	80.0%

# Professional Practice Exam



**AGENDA ITEM 5 – Legislation**

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Agenda Description: Briefing on current legislation related to the court reporting industry and/or the Court Reporters Board with discussion and possible action.

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Brief Summary: (Bills with a notation of \*\*\* are of particular interest or impact to court reporting or the Court Reporters Board specifically)

5.1 \*\*\* [AB 709](#) (McKinnor) – Transcripts: criminal proceedings: exculpatory evidence. (Assembly Public Safety Committee) – Existing law generally establishes the fees a court reporter may charge for the transcription of court proceedings and the printed original and copies of the transcription. Existing law permits any court, party, or person who has purchased a transcript to reproduce a copy or portion thereof as an exhibit, as specified, without paying an additional fee. Existing law requires the prosecuting attorney to disclose to the defendant or their attorney certain materials and information, including statements of all defendants and any exculpatory evidence, as specified.

This bill would permit a prosecutor with actual possession of a transcript that contains potentially exculpatory or impeaching material involving a peace officer-witness to provide an unofficial copy of the transcript or relevant portion thereof to defense counsel or a defendant appearing in propria persona during informal discovery. The bill would allow defense counsel to reproduce a copy or portion of the transcript received pursuant to these provisions as an exhibit pursuant to a court order or rule, or for internal use, but would prohibit counsel from otherwise providing or selling a copy or copies to any other party or person.

5.2 [AB 1070](#) (Low) – Department of Consumer Affairs: vacancies. (Awaiting committee referral) – Under existing law, the Department of Consumer Affairs is comprised of various boards, bureaus, commissions, committees, and similarly constituted agencies that license and regulate the practice of various professions and vocations. Existing law requires the Director of the Department of Consumer Affairs to administer and enforce those provisions. Existing law requires the director to notify the appropriate policy committees of the Legislature within 60 days after the position of chief or executive officer of any board, as defined, within the department becomes vacant, as specified.

This bill would make a nonsubstantive change to the vacancy notification requirement provision.

5.3 [SB 21](#) (Umberg) – Civil actions: remote proceedings: continuances and postponements. (Senate Judiciary Committee) – Existing law authorizes, until July 1, 2023, a party to appear remotely and a court to conduct conferences, hearings, proceedings, and trials in civil cases, in whole or in part, through the use of remote technology. This bill would extend these provisions until January 1, 2026. The bill would exempt specific types of proceedings from these provisions. The bill would authorize, until January 1, 2026, a court to

conduct an adoption finalization hearing, in whole or in part, through the use of remote technology, without the court making specific findings and would prohibit a court from requiring a party to appear through the use of remote technology. The bill would require each superior court to report to the Judicial Council on or before October 1, 2023, and annually thereafter, and would require the Judicial Council to report to the Legislature on or before December 31, 2023, and annually thereafter, to assess the impact of technology issues or problems affecting civil remote proceedings and purchases and leases of technology and equipment to facilitate civil remote conferences, hearings, or proceedings.

This bill would declare that it is to take effect immediately as an urgency statute.

5.4 \*\*\*[SB 22](#) (Umberg) – Civil actions: remote proceedings. (Senate Judiciary and Public Safety Committees) – Existing law authorizes, until July 1, 2023, a party to appear remotely and a court to conduct conferences, hearings, proceedings, and trials in civil cases, in whole or in part, through the use of remote technology. This bill would authorize, until January 1, 2026, a party to appear remotely and a court to conduct conferences, hearings, proceedings, and trials in specific types of proceedings, including, among others, a juvenile court proceeding and an extension of a juvenile commitment, in whole or in part, through the use of remote technology. The bill would authorize the court to require a party or witness to appear in person at a conference, hearing, or proceeding, if any specified condition is present. The bill would require the court to have a process for a party, court reporter, court interpreter, or other court personnel to alert the judicial officer of technology or audibility issues. The bill would prohibit a court from requiring a party to appear remotely. The bill would allow self-represented parties to appear remotely only if they agree to do so. The bill would require the Judicial Council to adopt rules to implement these provisions, as specified. The bill would also require each superior court to report to the Judicial Council on or before October 1, 2023, and annually thereafter, and would require the Judicial Council to report to the Legislature on or before December 31, 2023, and annually thereafter, to assess the impact of technology issues or problems affecting civil remote proceedings and purchases and leases of technology and equipment to facilitate civil remote conferences, hearings, or proceedings.

Existing law prohibits, until January 1, 2024, a trial court from retaliating against an official court reporter or official court reporter pro tempore for notifying a judicial officer that technology or audibility issues are interfering with the creation of the verbatim record for a remote proceeding. This bill would extend this provision until January 1, 2028.

Existing law allows a defendant in a misdemeanor case to appear by counsel, except as specified. Until January 1, 2024, existing law allows a court to conduct all proceedings, except jury and court trials, remotely through the use of remote technology if a defendant agrees. Existing law requires a defendant in a felony case to be physically present at the time of plea, during the preliminary hearing, during those portions of the trial when evidence is taken before the trier of fact, and at the time of the imposition of sentence. Existing

law allows, until January 1, 2024, a defendant to be physically or remotely present at all other proceedings, unless the defendant waived their right to be physically or remotely present with leave of the court and approval by defendant's counsel. This bill would extend the provisions that would expire on January 1, 2024, until January 1, 2028.

Existing law generally allows, until January 1, 2024, upon a defendant's waiver of the right to be physically present, criminal proceedings to be conducted through the use of remote technology. Commencing on January 1, 2024, existing law authorizes a court to permit the initial court appearance and arraignment of a defendant held in any state, county, or local facility, under specified circumstances, to be conducted by 2-way electronic audiovideo communication between the defendant and the courtroom in lieu of the defendant's physical presence. This bill would extend the provisions that would expire on January 1, 2024, until January 1, 2028, and extend the implementation of provisions that would commence on January 1, 2024, until January 1, 2028.

Existing law authorizes the court, until January 1, 2024, to direct the defendant to be physically present at any particular felony proceeding, prohibits a defendant charged with a felony to appear remotely for sentencing, except as specified, and prohibits a defendant charged with a felony or misdemeanor to appear remotely for a jury or court trial, except as specified. This bill would extend the provisions that would expire on January 1, 2024, until January 1, 2028.

Existing law, until January 1, 2024, authorizes the court to allow a prosecuting attorney or defense counsel to participate in a criminal proceeding through the use of remote technology, requires a court to require a prosecuting attorney, defense counsel, defendant, or witness to appear in person at a proceeding under specified circumstances, and requires a reporter to be physically present in the courtroom when the court conducts a remote proceeding that is reported. This bill would extend the provisions that would expire on January 1, 2024, until January 1, 2028.

Existing law authorizes, until January 1, 2024, a witness in a criminal proceeding to testify using remote technology, as provided by statutes regarding the examination of victims of sexual crimes and conditional examinations of witnesses. This bill would extend these provisions until January 1, 2028, and broaden the provisions to testifying remotely as otherwise provided by any law.

Existing law requires a defendant to be personally present in a preliminary hearing unless otherwise specified. Existing law prohibits these provisions from limiting the right of a defendant to waive the right to be present. Existing law, until January 1, 2024, includes the defendant's right to waive the right to appear through the use of remote technology from being limited by these provisions. This bill would extend the provisions that would expire on January 1, 2024, until January 1, 2028.

This bill would declare that it is to take effect immediately as an urgency statute.

5.5 [SB 331](#) (Rubio) – Family law: rules and procedures. (awaiting committee referral) – Existing law specifies that the rules of practice and procedure applicable to civil actions generally also apply to and constitute the rules of practice and procedure in family law proceedings. This bill would make technical, nonsubstantive changes to those provisions.

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Support Documents: None.

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Recommended Board Action: Informational only.

**AGENDA ITEM 6 – Regulations**

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Agenda Description: Discussion and possible action to revise a rulemaking to amend Title 16, California Code of Regulations, sections 2403, 2411, and 2414 – Voice Writing Skill Curriculum

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Brief Summary:

At the December 14, 2022, meeting, the Board approved proposed language to amend school curriculum to cover voice writing. Staff has since found additional sections that require amendment, and more complete language is being presented for the Board’s consideration.

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Support Documents: Attachment – Final Proposed Regulations

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Fiscal Impact: None

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Recommended Board Action: Staff recommends the Board approve the proposed response by using the following proposed motion:

I move that the Board rescind prior proposed text approved December 14, 2022, and approve the newly proposed regulatory text and changes to Sections 2403, 2411, and 2414 as provided in the materials and direct staff to submit all approved text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. If no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Sections for sections 2403, 2411, and 2414 as noticed.

COURT REPORTERS BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS

CALIFORNIA CODE OF REGULATIONS, TITLE 16, DIVISION 24

ORIGINALLY PROPOSED LANGUAGE

LEGEND FOR BOARD REVIEW

**Green highlighted text** – amended revisions that were identified and approved by the Board at its December 14, 2022, meeting.

**Blue highlighted text** – revisions that were included in the December 14, 2022, Board meeting packet, but that were not marked as revisions in the text.

**Yellow highlighted text** – new revisions for Board review and approval.

LEGEND

**Underlined** indicates proposed regulatory language to be added.  
**Deleted text is indicated by ~~strikethrough~~.**

Article 1

Amend CCR Section 2403 as follows:

§ 2403. Scope of Practice.

The practice of shorthand reporting is defined as the making, by means of written symbols or abbreviations in shorthand or machine shorthand writing, **or by voice writing**, of a verbatim record of any oral court proceeding, deposition, court-ordered hearing or arbitration, or proceeding before any grand jury, referee, or court commissioner and the accurate transcription thereof.

The accurate transcription thereof includes, but is not limited to:

(a) In superior court

(1) Taking down in shorthand **or by voice** all testimony, objections made, rulings of the court, exceptions taken, arraignments, pleas, sentences, arguments of the attorneys to



the jury and statements and remarks made and oral instructions given by the judge or other judicial official.

(2) Writing the transcript out, or the specific portions thereof as may be requested, in plain and legible longhand, or by typewriter, or other printing machine.

(3) Certifying that the transcripts were correctly reported and transcribed.

(4) Filing the transcripts with the clerk of the court when directed by the court.

(5) Making and preparing original transcription on paper.

(6) Delivering a copy of the original transcript in a computer-readable form in standard ASCII code, unless otherwise agreed by the reporter and the court, party, or other person requesting the transcript.

(7) Labeling disks of transcriptions with the case name and court number, the dates of proceedings contained on the disk, and the page and volume numbers of the data contained on the disk and with each disk containing the identical volume divisions, pagination, line numbering, and text of the certified original paper transcript or any portion thereof and sequentially numbered within the series of disks.

(8) Retaining original stenographic **and/or voice** notes for the statutorily-required period, or delivery thereof to the court when required by local rule.

(b) For a deposition

(1) Administering the oath or affirmation to the deponent.

(2) Making a full or partial copy of transcription available.

(3) Notifying all parties who attended a deposition of requests for expedited delivery made by other parties for either an original or copy of the transcript, or any portion thereof.

(4) Recording testimony by stenographic **and/or voice** means and retaining stenographic **and/or voice** notes of depositions for statutorily mandated period of time.

(5) Sending written notice to deponent and to all parties attending the deposition when the original transcript of the testimony for each session of the deposition is available for reading, correcting and signing.

(6) Indicating on the original of the transcript, if the deponent has not already done so at the office of the shorthand reporter, any action taken by the deponent and indicate on the original of the transcript the deponent's approval of, or failure or refusal to approve, the transcript.

(7) Sending written notification to the parties attending the deposition of any changes which the deponent timely made in person.

(8) Certifying on the transcript that the deponent was duly sworn and that the transcript or recording is a true record of the testimony given.

(9) Securely sealing the transcript in an envelope or package endorsed with the title of the action and marked: "Deposition of (here insert name of deponent,)" and promptly transmitting it to the attorney for the party who noticed the deposition.

(10) If the reporter still has a copy, making a transcript of a deposition testimony available to any party requesting a copy, on payment of a reasonable charge.

NOTE: Authority cited: Sections 8007 and 8017, Business and Professions Code. Reference: Sections 8007, ~~and 8017,~~ **and 8017.5,** Business and Professions Code; Sections 269, 271, 2025.330, 2025.510, 2025.520, 2025.540, 2025.550 and 2025.570, Code of Civil Procedure; Sections 13401 and 13410, Corporations Code: and Section 69955, Government Code.

## Article 2

### Amend Section 2411 as follows:

§ 2411. Criteria for Recognition of Court Reporting Schools; Continued Validity; Reports.

A recognized court reporting school shall offer at least the following minimum prescribed course of study for not less than the hours specified in order to obtain and maintain board approval:

(a) Machine Shorthand **or Voice Writing** and transcription ..... 2300 **hours**

(1) The program shall include classroom lecture or non-lecture instruction in the mastery of making verbatim records of depositions, hearings, meetings, conventions and judicial proceedings, by means of machine shorthand writing or voice writing, and the accurate transcription of such proceedings.

(2) Tests used to qualify students to sit for the CSR exam shall be transcribed under direct supervision. Schools may require all other tests to be transcribed under supervision.

(3) When the machine shorthand student reaches a proficiency of 80 words per minute on unfamiliar material, the student shall be required to transcribe dictation from stenographic notes of varying difficulty **(for the purposes of this subsection, "varying difficulty" shall mean** content containing changing or differing degrees of complexity of vocabulary) and subject matter of a length equal to five minutes.

When the voice writing student reaches a proficiency of 120 words per minute on unfamiliar material, the student shall be required to transcribe dictation from voice notes of varying difficulty and subject matter of a length equal to five minutes.

(4) Individual dictation classes, other than theory classes, shall include only students whose **tested** reporting writing speeds are within the same 20-30 words per minute range on similar dictation material.

(5) Students shall be provided the opportunity to read back from their stenographic notes or voice notes a minimum of one time each day.

(6) Schools shall provide students with the opportunity to practice with school-approved speed-building material a minimum of one hour per day after school hours.

(7) These hours may be reduced if a student is able to pass the qualifier exam defined in section 2412 of this chapter before having completed these hours.

(8) When the voice writing student reaches a proficiency of reporting 200 words per minute on unfamiliar material, the student will be tested to determine that they cannot be heard from a distance of two feet away from where the student is reporting.

(b) English ..... 240 **hours**  
A minimum of 150 of these hours shall be in classroom lecture or non-lecture instruction. Instruction in the fundamentals of English grammar and usage with emphasis on sentence structure, punctuation, spelling, capitalization, and vocabulary development.

(c) Medical ..... 120 **hours**  
A minimum of 75 of these hours shall be in classroom lecture or non-lecture instruction. Instruction, dictation, and transcription in human anatomy, including definitions of medical prefixes and suffixes and terminology.

(d) Legal ..... 150 **hours**  
A minimum of 100 of these hours shall be in **the** classroom lecture or non-lecture instruction. Instruction, dictation, and transcription material shall cover diverse subject areas including, but not limited to, the following:

(1) Legal Terminology.

The general concepts of the law of real and personal property, torts, contracts, probate, family, business, criminal, evidence, and civil procedure.

(2) Court and Deposition Procedures.

(A) The responsibility of the reporter in the courtroom, including the reporting of jury impanelment, opening statements, testimony, objections, summations, jury instructions, approaching the bench, in camera proceedings, and reading back to the jury.

(B) The responsibility of the reporter in depositions, including administering oaths, the reporting of testimony and objections, reporting with an interpreter, reading back, directing (citing) the witness, certifying questions, and marking exhibits.

(C) Management of pertinent records, including stenographic and/or voice notes, work sheets, financial records, daily reporting jobs, exhibits and transcripts.

(3) Ethics of the Court Reporting Profession.

The professional responsibilities of a reporter, including, but not limited to, those outlined in the Professional Standards of Practice.

(4) The California law and regulations and California Rules of Court affecting Certified Shorthand Reporters.

(e) Keyboarding..... 45 words per minute net  
A course to prepare students to achieve a typing proficiency of 45 words per minute.

(f) Transcript Preparation ..... 25 hours

(1) Instruction in the current methods for preparing and producing a complete transcript, including, but not limited to, equipment and formatting standards.

(2) Instruction in the preparation of transcripts, including covers, appearance pages, index pages, speaker identification, certificates, and exhibits, and the preparation of work sheets.

(3) Development of proofreading skills in order to produce an accurate, verbatim transcript.

(g) Resource Materials ..... 5 hours

Instruction in accessing resource materials including via the internet to provide the student with the ability to use such materials, including, but not limited to, case citations, codes, almanacs, directories, street atlases, and dictionaries.

(h) Apprenticeship Training ..... 60 hours

(1) Before the student attains a proficiency of 120 words per minute, the student shall observe a minimum of five hours of proceedings in a court of record.

After attaining a proficiency of 120 words per minute and before attaining a proficiency of 180 words per minute, the student shall observe a minimum of five hours of proceedings in a court of record.

(2) When the student reaches a proficiency of 180 words per minute, the student shall sit in and report with a certified shorthand reporter 40 hours of court proceedings or depositions of which a minimum of 10 hours shall be in depositions and a minimum of 10 hours shall be in court.

A maximum of 10 hours of this training may be gained in reporting mock proceedings sponsored by a law firm or by a law school.

(3) The student shall be required to transcribe and submit to the school for approval a minimum of 20 consecutive pages from stenographic **and/or voice** notes taken at a court proceeding and a minimum of 20 consecutive pages from stenographic **and/or voice** notes taken at a deposition in compliance with the Minimum Transcript Format Standards.

(4) After attaining a speed of 160 words per minute, the student shall receive a minimum of 10 hours additional instruction to review the following categories:

- (A-) Court and deposition procedures
- (B-) Professional practice and ethics, including the Professional Standards of Practice
- (C-) Legal research and the California Codes
- (D-) Job preparation skills including professional appearance and etiquette, attitude and demeanor, interviewing skills, and resume writing.

(5) Schools shall document that they provide students with the opportunity to interact with professional court reporters at least four times per calendar year, to offer mentoring, counseling, guest speakers, job shadowing, etc.

(i) Technology ..... 60 **hours**

(1) The student shall demonstrate knowledge of basic computer terminology and the ability to manage the computer operating system outside the specialized Computer Aided Transcription (CAT) software, including, but not limited to, functions such as deleting, moving, and renaming files, and creating electronic files.

(2) The student shall demonstrate an understanding of the concepts of litigation support, Web streaming, Communication Access Realtime Translation (CART), Best Practices for the use of Backup Audio Media (BAM), and captioning.

(3) The student shall demonstrate the ability to produce a transcript from the student's own stenographic notes **and/or voice** in compliance with the Minimum Transcript Format Standards.

(4) The student shall spend a minimum of 10 hours in realtime writing.

The student shall also demonstrate the ability to set up and connect the components to provide interactive realtime. Interactive realtime is defined as the student outputting to a second **computerdevice**.

(5) The student shall demonstrate knowledge of how to prepare an electronic file from the student's own stenographic **and/or voice** notes.

TOTAL MINIMUM PRESCRIBED ACADEMIC HOURS..... 660 **hours**

(j) A recognized court reporting school may grant equivalent proficiency for one or more classes to applicants who have provided proof of prior educational or practical experience which is directly related to classes described in Section 2411(a) of this chapter.

(k) A recognized court reporting school shall provide access to a library of reference materials. This access shall be provided on campus. On-campus access may include online access. These materials shall include at least the following:

(1) Current reference materials shall include at a minimum: Business & Professions Code, Sections 8000 through **80478051**; Title 16, California Code of Regulations, Division 24, Sections 2400 through 2481; Code of Civil Procedure, Sections 2021 and 2025; Government Code, Chapter 5, Article 9, commencing with section 69941; and California Rules of Court.

(2) Current reference materials shall include at a minimum: California Civil Code, Code of Civil Procedure, Evidence Code, Government Code, Penal Code, Welfare and Institutions Code, Health and Safety Code, Probate Code, Family Code and Labor Code; a world atlas, a world almanac, a local street atlas, standard and specialty dictionaries, drug manufacturer reference, and directory of attorneys.

In addition, the Board recommends that the school also maintains current professional association publications and current publications including at least one daily newspaper and magazines such as Time, Newsweek, Business Week, Money, Inc., Fortune, etc.

(l) Whenever there has been a change in school status as set forth in Section 8027(f) of the Business and Professions Code, the change or changes as specified shall be reported to the board as required by Business and Professions Code Section 8027(f). Such report shall be in writing on the letterhead of the school or other stationery setting forth the current name, address and telephone number of the school, and shall be signed by the responsible program manager, the school owner, the responsible corporate officer if the school is a corporation or the responsible partner if the school is a partnership.

(m) All annual statements filed with the board by court reporting schools in compliance with Section 8027(k) of the Business and Professions Code shall be in writing on the telephone number of the school and shall have enclosed or attached thereto the current school catalog as specified by Section 8027(l).

(n) Each court reporting school shall advise all applicants to its court reporting program of the existence and purpose of the board, including the board's address, telephone number, and Web site which shall be prominently displayed in any catalogs or Web sites which include course offerings.

(o) For the purposes of this Division, "voice writing" shall have the meaning set forth in Section 8017.5 of the Code.

NOTE: Authority cited: Section 8007 Business and Professions Code. Reference: Sections 8007, 8017.5, 8020 and 8027, Business and Professions Code.

**Amend Section 2414 as follows:**

§ 2414. Definitions.

(a) Any person teaching an academic course, ~~that is a course~~ other than machine shorthand, voice writing, or keyboarding, in a court reporting program, shall meet at least one of the following criteria:

- (1) Possess at a minimum a Bachelor of Arts or Bachelor of Science degree.
- (2) Possess at a minimum either an Associate degree in the subject being taught and two years of experience in a related field, or an Associate degree not in the subject being taught and four years of experience in a related field.
- (3) Possess a current license as a certified shorthand reporter ~~—a—~~ Reporters Association, or a current Certified Verbatim Reporter (CVR) certificate from the National Verbatim Reporters Association, and in addition, a minimum of two years of experience in a related field.
- (4) Possess a minimum of four years of experience teaching the subject being taught or a minimum of four years of experience in a job substantially related to the subject being taught.

(b) Any person teaching a machine or voice speed-building course, ~~that is a course~~ other than an academic course or keyboarding, shall meet one of the following criteria:

- (1) Possess at a minimum a Bachelor of Arts or Bachelor of Science degree.

(2) Possess at a minimum either an Associate degree in the subject being taught or an Associate degree not in the subject being taught and two years of experience in a related field.

(3) Possess a current license as a certified shorthand reporter, or an current RPR certificate from the National Court Reporters Association, or a current CVR certificate from the National Verbatim Reporters Association.

(4) Completed all requirements of a California recognized court reporter training program through the 180 word per minute machine or voice speed class and possesses two years of teaching experience.

(c) Any person hired as a reader by a school shall be trained by the school and shall demonstrate proficiency using a stopwatch, enunciating standard English, familiarity with common phrasing, and a propensity for maintaining consistency within the same speed level.

(d) A “full-time student” shall be defined as enrolled in school for a minimum of 24 clock hours per week or successfully maintaining either 12 credits per semester or 12 credits per quarter, including 10 hours of live dictation machine or voice speed classes per week.

(e) “Classroom lecture” is defined as an instruction course in which both the student and the instructor are physically present at the same time in the same classroom.

(f) “Online instruction” is defined as instruction which may be in realtime, virtual-time, or any combination thereof, and which meets the requirements of non-lecture instruction as defined in subsection (h).

(g) “Instruction” is defined as instructor directed activities including classroom lecture, non-lecture instruction and other directed activities identified in course outlines that lead to the accomplishment of the identified learning outcomes.

(h) “Non-lecture instruction” is defined as any academic course under this article that is taught in a non-lecture instruction setting. The school shall prepare and maintain a written statement outlining the course objectives, proposed learning outcomes, the methods of measuring those outcomes, and how this method of instruction meets the course objectives and outcomes. Such instruction requires the availability of an instructor and interim evaluations.

(i) “Direct supervision” shall provide verification of the student's identity, the reasonable assurance that the student is the author of any work product, and shall protect testing and qualifier materials. Direct supervision may take the form of physical or non-physical observation of the student, and comparison of work product against stenographic notes or voice notes, or other methods, as determined and reviewed and approved by the Board.



(j) “Interactive realtime” is defined as the student outputting to a second computer device.

NOTE: Authority cited: Section 8007, Business and Professions Code. Reference: Sections 8007, 8017.5, and 8027, Business and Professions Code.

**AGENDA ITEM 7 – License/Certificate Reciprocity**

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Agenda Description:

Discussion and possible action to allow reciprocity with Certified Verbatim Reporter certification from the National Verbatim Court Reporters Association.

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Brief Summary:

The Board has unsuccessfully explored reciprocity with the state of Texas and with the National Court Reporters Association’s Registered Professional Reporter (RPR) certification.

The National Verbatim Reporters Association uses the RPR format to test and certify reporters for their Certified Verbatim Reporter (CVR) certification. They test both voice writers and machine shorthand reporters.

The CVR could be evaluated by the Department of Consumer Affairs (DCA) Office of Professional Examination Services (OPES). If the CVR is determined to be an adequate test of entry-level reporting skills, the Board would need to seek a regulatory change to Article 3. Examination Requirements, Applications and Procedures, Title 16, § 2420 of the California Code of Regulations to allow for reciprocity with the skills portion of the exam. CVR holders would still need to pass the two written portions of the exam prior to being issued a Certified Shorthand Reporter certificate or CSR license from the board.

=====

Support Documents: None

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Fiscal Impact: Interagency agreement for project totaling approximately \$24,000

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Recommended Board Action: Staff recommends the Board enter into an interagency agreement with OPES to evaluate the CVR certification in order to explore the possibility of reciprocity.

Proposed Motion: I move to instruct staff to enter into an interagency agreement with the Office of Professional Examination Services to evaluate the National Verbatim Reporters Association Certified Verbatim Reporter certification for possible reciprocity with the skills portion of the California license exam.

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COURT REPORTERS BOARD MEETING – MARCH 28, 2023

**AGENDA ITEM 8 – Strategic Plan**

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Agenda Description: Update to the Board on action plan

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Brief Summary:

At the July 12, 2019, Board meeting, the Board approved an action plan for the 2019-2023 Strategic Plan. The Action Plan Timeline is used as a tool to update the Board on the progress of achieving the strategic plan goals.

The Board's original date for strategic planning was postponed, but SOLID is now setting dates for strategic planning.

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Support Documents:

Attachment – Action Plan Timeline

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Fiscal Impact: None

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Recommended Board Action: Staff recommends the Board review the Action Plan Timeline and provide feedback as needed.

Additionally, staff recommends the Board provide dates in late summer/early fall for in-person strategic planning in Sacramento.

**Court Reporters Board of California**  
2019 – 2023 Action Plan Timeline

<b>Action Items</b>	<b>Target Date</b>	<b>Status</b>
<b>Maintain fair testing to provide consumers with competent entry-level reporters</b>	Dec 2023	On-going
<b>Expand Best Practice Pointers to keep licensees up to date with industry standards</b>	Jan 2020	No. 11 – 5/21
<b>Facilitate expansion of verbatim reporting methods to provide sufficient workforce</b>	Jan 2022	On-going
<b>Investigate real-time captioning standards and assess industry practices for consumer protection</b>	Dec 2020	
<b>Monitor compliance by non-licensee-owned firms to ensure integrity of the record</b>	Dec 2023	On-going
<b>Inform licensees regarding the role of the Board’s enforcement to dispel common misconceptions</b>	Dec 2020	Feb 2022 – DRA Mar 2022 – PYRP Sept 2022 - CCRA
<b>Educate consumers about the Board’s complaint process to have a place for recourse in cases of violation</b>	Dec 2023	
<b>Support schools’ recruitment efforts to preserve the integrity and continuity of the workforce</b>	Jan 2021	On-going
<b>Increase Board school visits to more effectively monitor compliance with applicable laws and regulations</b>	Dec 2023	
<b>Launch a strategic awareness campaign in collaboration with external stakeholders to educate consumers about the court reporting roles and CRB responsibilities and services</b>	Dec 2023	April 2021 & on-going
<b>Improve the CRB website to improve service and efficiency for consumers</b>	June 2019	June 2019
<b>Implement business modernization to allow online renewals and applications</b>	Dec 2023	August 2020
<b>Continue to cross-train staff to be effective and efficient, as well as to prepare for succession planning</b>	Dec 2022	On-going

COURT REPORTERS BOARD MEETING – MARCH 28, 2023

**AGENDA ITEM 9 – Future Meeting Dates**

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Agenda Description: Proposed Meeting Dates

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Support Documents:

Attachment –2023 Board Calendar

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Current scheduled activities:

Exam Workshop:

- April 14-15, 2023 – Sacramento
- April 21-22, 2023 – Remote
- May 5-6, 2023 – Remote

CSR Dictation Exam:

- July 5, 2023 – July 26, 2023 – Realtime Coach (Online Vendor)
  - November 1, 2023 – November 22, 2023 – Realtime Coach (Online Vendor)
- =====

Recommended Board Action: Informational only.

A YEAR-AT-A-GLANCE CALENDAR 2023  
COURT REPORTERS BOARD OF CALIFORNIA

**JANUARY 2023**

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	9	10	11	12	13	
	17	18	19	20		
	23	24	25	26	27	
	30	31				

**FEBRUARY 2023**

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	13	14	15	16	17	
			21	22	23	24
	27	28				

**MARCH 2023**

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	20	21	22	23	24	
	27	28	29	30		

**APRIL 2023**

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	24	25	26	27	28	

**MAY 2023**

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	22	23	24	25	26			
			30	31				

**JUNE 2023**

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	26	27	28	29	30			

**JULY 2023**

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	31							

**AUGUST 2023**

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	21	22	23	24	25			
	28	29	30	31				

**SEPTEMBER 2023**

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	25	26	27	28	29			

**OCTOBER 2023**

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	23	24	25	26	27			
	30	31						









**NOVEMBER 2023**

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	20	21	22					
	27	28	29	30				

**DECEMBER 2023**

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	18	19	20	21	22			
			26	27	28	29		

**ACTIVITY**

	BD - Board Meeting or Activity
	Exam - Dictation Exam
	Workshop - Exam Workshop
	TF - Task Force Meeting
	TH - Town Hall Meeting
	OA - Occupational Analysis
	RH - Regulatory Hearing
	Shaded Dates - Board Office is Closed

**CITY**

LA-LOS ANGELES	SAC-SACRAMENTO
SD-SAN DIEGO	SF-SAN FRANCISCO
ONT- ONTARIO	

**GENERAL LOCATION**

NC - NORTHERN CALIFORNIA
SC - SOUTHERN CALIFORNIA
Tele - TELECONFERENCE/VIDEOCONFERENCE

COURT REPORTERS BOARD MEETING – MARCH 28, 2023

**AGENDA ITEM 10 – Closed Session**

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Agenda Description:

Pursuant to Government Code Section 11126(a)(1), the Board will meet in closed session to discuss the annual evaluation of its executive officer.

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Fiscal Impact: Potential increase in annual expenditures

COURT REPORTERS BOARD MEETING – MARCH 28, 2023

**AGENDA ITEM 11 – Sunset Review**

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Agenda Description: Discussion and possible action on response to initiate  
Court Reporters Board Sunset Review  
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Brief Summary:

SB 1443 extended the Board's sunset date until January 1, 2025. We have received the draft report form. While we don't have a firm deadline at this point, December 1, 2023, would be a reasonable target. The additional questionnaire specific to our Board and additional information will be sent to us this summer.

At its December 14, 2022, meeting, all Board members expressed an interest in being on a sunset review task force; therefore, it was decided to develop the sunset review report with the entire Board.

=====  
Support Documents:

Attachment – Sunset Review Form

=====  
Recommended Board Action: Staff recommends the Board discuss the draft sunset review form from the legislature for staff to include in the sunset review report.  
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**[BOARD NAME]**  
**BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM**  
**As of [date]**

**Section 1 –  
Background and Description of the Board and Regulated Profession**

Provide a short explanation of the history and function of the board.<sup>1</sup> Describe the occupations/profession that are licensed and/or regulated by the board (Practice Acts vs. Title Acts).

1. Describe the make-up and functions of each of the board’s committees (cf., Section 12, Attachment B).

Table 1a. Attendance			
[Enter board member name]			
Date Appointed:		[Enter date appointed]	
Meeting Type	Meeting Date	Meeting Location	Attended?
Meeting 1	[Enter Date]	[Enter Location]	[Y/N]
Meeting 2	[Enter Date]	[Enter Location]	[Y/N]
Meeting 3	[Enter Date]	[Enter Location]	[Y/N]
Meeting 4	[Enter Date]	[Enter Location]	[Y/N]

Table 1b. Board/Committee Member Roster					
Member Name (Include Vacancies)	Date First Appointed	Date Re-appointed	Date Term Expires	Appointing Authority	Type (public or professional)

2. In the past four years, was the board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?
3. Describe any major changes to the board since the last Sunset Review, including, but not limited to:
  - Internal changes (i.e., reorganization, relocation, change in leadership, strategic planning)
  - All legislation sponsored by the board and affecting the board since the last sunset review.

<sup>1</sup> The term “board” in this document refers to a board, bureau, commission, committee, council, department, division, program, or agency, as applicable. Please change the term “board” throughout this document to appropriately refer to the entity being reviewed.

All regulation changes approved by the board since the last sunset review. Include the status of each regulatory change approved by the board.

4. Describe any major studies conducted by the board (cf. Section 12, Attachment C).
5. List the status of all national associations to which the board belongs.

Does the board’s membership include voting privileges?

List committees, workshops, working groups, task forces, etc., on which the board participates.

How many meetings did board representative(s) attend? When and where?

If the board is using a national exam, how is the board involved in its development, scoring, analysis, and administration?

## Section 2 – Performance Measures and Customer Satisfaction Surveys

6. Provide each quarterly and annual performance measure report for the board as published on the DCA website
7. Provide results for each question in the board’s customer satisfaction survey broken down by fiscal year. Discuss the results of the customer satisfaction surveys.

## Section 3 – Fiscal and Staff Fiscal Issues

8. Is the board’s fund continuously appropriated? If yes, please cite the statute outlining this continuous appropriation.
9. Describe the board’s current reserve level, spending, and if a statutory reserve level exists.
10. Describe if/when a deficit is projected to occur and if/when a fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by the board.

<b>Table 2. Fund Condition</b>						
(Dollars in Thousands)	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24
Beginning Balance						
Revenues and Transfers						
<b>Total Revenue</b>	\$	\$	\$	\$	\$	\$
Budget Authority						
Expenditures						
Loans to General Fund						
Accrued Interest, Loans to General Fund						
Loans Repaid From General Fund						
<b>Fund Balance</b>	\$	\$	\$	\$	\$	\$
<b>Months in Reserve</b>						

11. Describe the history of general fund loans. When were the loans made? When have payments been made to the board? Has interest been paid? What is the remaining balance?
12. Describe the amounts and percentages of expenditures by program component. Use *Table 3. Expenditures by Program Component* to provide a breakdown of the expenditures by the board in each program area. Expenditures by each component (except for pro rata) should be broken out by personnel expenditures and other expenditures.

<b>Table 3. Expenditures by Program Component</b> (list dollars in thousands)								
	FY 2018/19		FY 2019/20		FY 2020/21		FY 2021/22	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement								
Examination								
Licensing								
Administration *								
DCA Pro Rata								
Diversion (if applicable)								
<b>TOTALS</b>	\$	\$	\$	\$	\$	\$	\$	\$

\*Administration includes costs for executive staff, board, administrative support, and fiscal services.

13. Describe the amount the board has contributed to the BreEZe program. What are the anticipated BreEZe costs the board has received from DCA?
14. Describe license renewal cycles and history of fee changes in the last 10 years. Give the fee authority (Business and Professions Code and California Code of Regulations citation) for each fee charged by the board.

<b>Table 4. Fee Schedule and Revenue</b> (list revenue dollars in thousands)							
Fee	Current Fee Amount	Statutory Limit	FY 2018/19 Revenue	FY 2019/20 Revenue	FY 2020/21 Revenue	FY 2021/22 Revenue	% of Total Revenue

15. Describe Budget Change Proposals (BCPs) submitted by the board in the past four fiscal years.

**Table 5. Budget Change Proposals (BCPs)**

BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services				OE&E	
			# Staff Requested (include classification)	# Staff Approved (include classification)	\$ Requested	\$ Approved	\$ Requested	\$ Approved

**Staffing Issues**

- 16. Describe any board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.
- 17. Describe the board's staff development efforts and total spent annually on staff development (cf., Section 12, Attachment D).

**Section 4 – Licensing Program**

- 18. What are the board's performance targets/expectations for its licensing<sup>2</sup> program? Is the board meeting those expectations? If not, what is the board doing to improve performance?
- 19. Describe any increase or decrease in the board's average time to process applications, administer exams and/or issue licenses. Have pending applications grown at a rate that exceeds completed applications? If so, what has been done by the board to address them? What are the performance barriers and what improvement plans are in place? What has the board done and what is the board going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?
- 20. How many licenses or registrations has the board denied over the past four years based on criminal history that is determined to be substantially related to the qualifications, functions, or duties of the profession, pursuant to BPC § 480? Please provide a breakdown of each instance of denial and the acts the board determined were substantially related.

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<sup>2</sup> The term "license" in this document includes a license certificate or registration.

**Table 6. Licensee Population**

		FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22
[Enter License Type]	Active <sup>3</sup>				
	Out of State				
	Out of Country				
	Delinquent/Expired				
	Retired Status <i>if applicable</i>				
	Inactive				
	Other <sup>4</sup>				
[Enter License Type]	Active				
	Out of State				
	Out of Country				
	Delinquent/Expired				
	Retired Status <i>if applicable</i>				
	Inactive				
	Other				
[Enter License Type]	Active				
	Out of State				
	Out of Country				
	Delinquent/Expired				
	Retired Status <i>if applicable</i>				
	Inactive				
	Other				
[Enter License Type]	Active				
	Out of State				
	Out of Country				
	Delinquent/Expired				
	Retired Status <i>if applicable</i>				
	Inactive				
	Other				

Note: 'Out of State' and 'Out of Country' are two mutually exclusive categories. A licensee should not be counted in both.

<sup>3</sup> Active status is defined as able to practice. This includes licensees that are renewed, current, and active.

<sup>4</sup> Other is defined as a status type that does not allow practice in California, other than retired or inactive.

**Table 7a. Licensing Data by Type**

Application Type	Received	Approved /Issued	Closed	Pending Applications			Cycle Times		
				Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps	Incomplete Apps	combined, IF unable to separate out
FY 2019/20	(Exam)			-	-	-	-	-	-
	(License)			-	-	-	-	-	-
	(Renewal)		n/a	-	-	-	-	-	-
FY 2020/21	(Exam)								
	(License)								
	(Renewal)		n/a						
FY 2021/22	(Exam)								
	(License)								
	(Renewal)		n/a						

\* Optional. List if tracked by the board.

**Table 7b. License Denial**

	FY 2019/20	FY 2020/21	FY 2021/22
License Applications Denied (no hearing requested)			
SOIs Filed			
Average Days to File SOI (from request for hearing to SOI filed)			
SOIs Declined			
SOIs Withdrawn			
SOIs Dismissed (license granted)			
License Issued with Probation / Probationary License Issued			
Average Days to Complete (from SOI filing to outcome)			

21. How does the board verify information provided by the applicant?

- a. What process does the board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant? Has the board denied any licenses over the last four years based on the applicant's failure to disclose information on the application, including failure to self-disclose criminal history? If so, how many times and for what types of crimes (please be specific)?
- b. Does the board fingerprint all applicants?
- c. Have all current licensees been fingerprinted? If not, explain.
- d. Is there a national databank relating to disciplinary actions? Does the board check the national databank prior to issuing a license? Renewing a license?
- e. Does the board require primary source documentation?

22. Describe the board's legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.

23. Describe the board's process, if any, for considering military education, training, and experience for purposes of licensing or credentialing requirements, including college credit equivalency.

- a. Does the board identify or track applicants who are veterans? If not, when does the board expect to be compliant with BPC § 114.5?
  - b. How many applicants offered military education, training or experience towards meeting licensing or credentialing requirements, and how many applicants had such education, training or experience accepted by the board?
  - c. What regulatory changes has the board made to bring it into conformance with BPC § 35?
  - d. How many licensees has the board waived fees or requirements for pursuant to BPC § 114.3, and what has the impact been on board revenues?
  - e. How many applications has the board expedited pursuant to BPC § 115.5?
24. Does the board send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.

**Examinations**

<b>Table 8. Examination Data<sup>5</sup></b>			
<b>California Examination (include multiple language) if any:</b>			
	License Type		
	Exam Title		
FY 2018/19	Number of Candidates		
	Overall Pass %		
	Overall Fail %		
FY 2019/20	Number of Candidates		
	Overall Pass %		
	Overall Fail %		
FY 2020/21	Number of Candidates		
	Overall Pass %		
	Overall Fail %		
FY 2021/22	Number of Candidates		
	Overall Pass %		
	Overall Fail %		
	Date of Last OA		
	Name of OA Developer		
	Target OA Date		

<sup>5</sup> This table includes all exams for all license types as well as the pass/fail rate. Include as many examination types as necessary to cover all exams for all license types.

<b>National Examination (include multiple language) if any:</b>			
License Type			
Exam Title			
FY 2018/19	Number of Candidates		
	Overall Pass %		
	Overall Fail %		
FY 2019/20	Number of Candidates		
	Overall Pass %		
	Overall Fail %		
FY 2020/21	Number of Candidates		
	Overall Pass %		
	Overall Fail %		
FY 2021/22	Number of Candidates		
	Overall Pass %		
	Overall Fail %		
Date of Last OA			
Name of OA Developer			
Target OA Date			

25. Describe the examinations required for licensure. Is a national examination used? Is a California specific examination required? Are examinations offered in a language other than English?
26. What are pass rates for first time vs. retakes in the past 4 fiscal years? (*Refer to Table 8: Examination Data*) Are pass rates collected for examinations offered in a language other than English?
27. Is the board using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?
28. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe.

### **School approvals**

29. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? How does the board work with BPPE in the school approval process?
30. How many schools are approved by the board? How often are approved schools reviewed? Can the board remove its approval of a school?
31. What are the board's legal requirements regarding approval of international schools?

### **Continuing Education/Competency Requirements**

32. Describe the board's continuing education/competency requirements, if any. Describe any changes made by the board since the last review.



- a. How does the board verify CE or other competency requirements? Has the Board worked with the Department to receive primary source verification of CE completion through the Department’s cloud?
- b. Does the board conduct CE audits of licensees? Describe the board’s policy on CE audits.
- c. What are consequences for failing a CE audit?
- d. How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?
- e. What is the board’s CE course approval policy?
- f. Who approves CE providers? Who approves CE courses? If the board approves them, what is the board application review process?
- g. How many applications for CE providers and CE courses were received? How many were approved?
- h. Does the board audit CE providers? If so, describe the board’s policy and process.
- i. Describe the board’s effort, if any, to review its CE policy for purpose of moving toward performance based assessments of the licensee’s continuing competence.

<b>Table 8a. Continuing Education</b>			
Type	Frequency of Renewal	Number of CE Hours Required Each Cycle	Percentage of Licensees Audited

**Section 5 – Enforcement Program**

- 33. What are the board’s performance targets/expectations for its enforcement program? Is the board meeting those expectations? If not, what is the board doing to improve performance?
- 34. Explain trends in enforcement data and the board’s efforts to address any increase in volume, timeframes, ratio of closure to pending cases, or other challenges. What are the performance barriers? What improvement plans are in place? What has the board done and what is the board going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?

<b>Table 9a. Enforcement Statistics</b>			
	FY 2019/20	FY 2020/21	FY 2021/22
<b>COMPLAINTS</b>			
Intake			
Received			
Closed without Referral for Investigation			
Referred to INV			
Pending (close of FY)			
Conviction / Arrest			
CONV Received			
CONV Closed Without Referral for Investigation			
CONV Referred to INV			
CONV Pending (close of FY)			
Source of Complaint <sup>6</sup>			
Public			
Licensee/Professional Groups			
Governmental Agencies			
Internal			
Other			
Anonymous			
Average Time to Refer for Investigation (from receipt of complaint / conviction to referral for investigation)			
Average Time to Closure (from receipt of complaint / conviction to closure at intake)			
Average Time at Intake (from receipt of complaint / conviction to closure or referral for investigation)			
<b>INVESTIGATION</b>			
Desk Investigations			
Opened			
Closed			
Average days to close (from assignment to investigation closure)			
Pending (close of FY)			
Non-Sworn Investigation			
Opened			
Closed			
Average days to close (from assignment to investigation closure)			
Pending (close of FY)			
Sworn Investigation			
Opened			
Closed			
Average days to close (from assignment to investigation closure)			
Pending (close of FY)			

<sup>6</sup> Source of complaint refers to complaints and convictions received. The summation of intake and convictions should match the total of source of complaint.

All investigations <sup>7</sup>			
Opened			
Closed			
Average days for all investigation outcomes (from start investigation to investigation closure or referral for prosecution)			
Average days for investigation closures (from start investigation to investigation closure)			
Average days for investigation when referring for prosecution (from start investigation to referral for prosecution)			
Average days from receipt of complaint to investigation closure			
Pending (close of FY)			
<b>CITATION AND FINE</b>			
Citations Issued			
Average Days to Complete (from complaint receipt / inspection conducted to citation issued)			
Amount of Fines Assessed			
Amount of Fines Reduced, Withdrawn, Dismissed			
Amount Collected			
<b>CRIMINAL ACTION</b>			
Referred for Criminal Prosecution			
<b>ACCUSATION</b>			
Accusations Filed			
Accusations Declined			
Accusations Withdrawn			
Accusations Dismissed			
Average Days from Referral to Accusations Filed (from AG referral to Accusation filed)			
<b>INTERIM ACTION</b>			
ISO & TRO Issued			
PC 23 Orders Issued			
Other Suspension/Restriction Orders Issued			
Referred for Diversion			
Petition to Compel Examination Ordered			
<b>DISCIPLINE</b>			
AG Cases Initiated (cases referred to the AG in that year)			
AG Cases Pending Pre-Accusation (close of FY)			
AG Cases Pending Post-Accusation (close of FY)			
<b>DISCIPLINARY OUTCOMES</b>			
Revocation			
Surrender			
Suspension only			
Probation with Suspension			
Probation only			
Public Reprimand / Public Reprimand / Public Letter of Reprimand			
Other			

<sup>7</sup> The summation of desk, non-sworn, and sworn investigations should match the total of all investigations.

<b>DISCIPLINARY ACTIONS</b>			
Proposed Decision			
Default Decision			
Stipulations			
Average Days to Complete After Accusation (from Accusation filed to imposing formal discipline)			
Average Days from Closure of Investigation to Imposing Formal Discipline			
Average Days to Impose Discipline (from complaint receipt to imposing formal discipline)			
<b>PROBATION</b>			
Probations Completed			
Probationers Pending (close of FY)			
Probationers Tolerated			
Petitions to Revoke Probation / Accusation and Petition to Revoke Probation Filed			
<b>SUBSEQUENT DISCIPLINE<sup>8</sup></b>			
Probations Revoked			
Probationers License Surrendered			
Additional Probation Only			
Suspension Only Added			
Other Conditions Added Only			
Other Probation Outcome			
<b>SUBSTANCE ABUSING LICENSEES</b>			
Probationers Subject to Drug Testing			
Drug Tests Ordered			
Positive Drug Tests			
<b>PETITIONS</b>			
Petition for Termination or Modification Granted			
Petition for Termination or Modification Denied			
Petition for Reinstatement Granted			
Petition for Reinstatement Denied			
<b>DIVERSION</b>			
New Participants			
Successful Completions			
Participants (close of FY)			
Terminations			
Terminations for Public Threat			
Drug Tests Ordered			
Positive Drug Tests			

<sup>8</sup> Do not include these numbers in the Disciplinary Outcomes section above.

<b>Table 10. Enforcement Aging</b>						
	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	Cases Closed	Average %
<b>Investigations (Average %)</b>						
Closed Within:						
90 Days						
91 - 180 Days						
181 - 1 Year						
1 - 2 Years						
2 - 3 Years						
Over 3 Years						
Total Investigation Cases Closed						
<b>Attorney General Cases (Average %)</b>						
Closed Within:						
0 - 1 Year						
1 - 2 Years						
2 - 3 Years						
3 - 4 Years						
Over 4 Years						
Total Attorney General Cases Closed						

35. What do overall statistics show as to increases or decreases in disciplinary action since last review?
36. How are cases prioritized? What is the board's compliant prioritization policy? Is it different from DCA's *Complaint Prioritization Guidelines for Health Care Agencies* (August 31, 2009)? If so, explain why.
37. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report to the board actions taken against a licensee. Are there problems with the board receiving the required reports? If so, what could be done to correct the problems?
- What is the dollar threshold for settlement reports received by the board?
  - What is the average dollar amount of settlements reported to the board?
38. Describe settlements the board, and Office of the Attorney General on behalf of the board, enter into with licensees.
- What is the number of cases, pre-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?
  - What is the number of cases, post-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?
  - What is the overall percentage of cases for the past four years that have been settled rather than resulted in a hearing?
39. Does the board operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases have been lost due to statute of limitations? If not, what is the board's policy on statute of limitations?
40. Describe the board's efforts to address unlicensed activity and the underground economy.

## Cite and Fine

41. Discuss the extent to which the board has used its cite and fine authority. Discuss any changes from last review and describe the last time regulations were updated and any changes that were made. Has the board increased its maximum fines to the \$5,000 statutory limit?
42. How is cite and fine used? What types of violations are the basis for citation and fine?
43. How many informal office conferences, Disciplinary Review Committees reviews and/or Administrative Procedure Act appeals of a citation or fine in the last 4 fiscal years?
44. What are the five most common violations for which citations are issued?
45. What is average fine pre- and post- appeal?
46. Describe the board's use of Franchise Tax Board intercepts to collect outstanding fines.

## Cost Recovery and Restitution

47. Describe the board's efforts to obtain cost recovery. Discuss any changes from the last review.
48. How many and how much is ordered by the board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.
49. Are there cases for which the board does not seek cost recovery? Why?
50. Describe the board's use of Franchise Tax Board intercepts to collect cost recovery.
51. Describe the board's efforts to obtain restitution for individual consumers, any formal or informal board restitution policy, and the types of restitution that the board attempts to collect, i.e., monetary, services, etc. Describe the situation in which the board may seek restitution from the licensee to a harmed consumer.

<b>Table 11. Cost Recovery<sup>9</sup></b>				
(list dollars in thousands)				
	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22
Total Enforcement Expenditures				
Potential Cases for Recovery *				
Cases Recovery Ordered				
Amount of Cost Recovery Ordered				
Amount Collected				
* "Potential Cases for Recovery" are those cases in which disciplinary action has been taken based on violation of the license practice act.				

<b>Table 12. Restitution</b>				
(list dollars in thousands)				
	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22
Amount Ordered				
Amount Collected				

<sup>9</sup> Cost recovery may include information from prior fiscal years.

## Section 6 – Public Information Policies

52. How does the board use the internet to keep the public informed of board activities? Does the board post board-meeting materials online? When are they posted? How long do they remain on the board's website? When are draft meeting minutes posted online? When does the board post final meeting minutes? How long do meeting minutes remain available online?
53. Does the board webcast its meetings? What is the board's plan to webcast future board and committee meetings? How long do webcast meetings remain available online?
54. Does the board establish an annual meeting calendar, and post it on the board's web site?
55. Is the board's complaint disclosure policy consistent with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*? Does the board post accusations and disciplinary actions consistent with DCA's *Web Site Posting of Accusations and Disciplinary Actions* (May 21, 2010)?
56. What information does the board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?
57. What methods are used by the board to provide consumer outreach and education?

## Section 7 – Online Practice Issues

58. Discuss the prevalence of online practice and whether there are issues with unlicensed activity. How does the board regulate online practice? Does the board have any plans to regulate internet business practices or believe there is a need to do so?

## Section 8 – Workforce Development and Job Creation

59. What actions has the board taken in terms of workforce development?
60. Describe any assessment the board has conducted on the impact of licensing delays.
61. Describe the board's efforts to work with schools to inform potential licensees of the licensing requirements and licensing process.
62. Describe any barriers to licensure and/or employment the board believes exist.
63. Provide any workforce development data collected by the board, such as:
  - a. Workforce shortages
  - b. Successful training programs.

## Section 9 – Current Issues

64. What is the status of the board's implementation of the Uniform Standards for Substance Abusing Licensees?
65. What is the status of the board's implementation of the Consumer Protection Enforcement Initiative (CPEI) regulations?
66. Describe how the board is participating in development of BreEZe and any other secondary IT issues affecting the board.
- Is the board utilizing BreEZe? What Release was the board included in? What is the status of the board's change requests?
  - If the board is not utilizing BreEZe, what is the board's plan for future IT needs? What discussions has the board had with DCA about IT needs and options? What is the board's understanding of Release 3 boards? Is the board currently using a bridge or workaround system?

## Section 10 – Board Actions and Responses to COVID-19.

67. In response to COVID-19, has the board implemented teleworking policies for employees and staff?
- How have those measures affected board operations? If so, how?
68. In response to COVID-19, has the board utilized any existing state of emergency statutes?
- If so, which ones, and why?
69. Pursuant to the Governor's Executive Orders N-40-20 and N-75-20, has the board worked on any waiver requests with the Department?
- Of the above requests, how many were approved?
  - How many are pending?
  - How many were denied?
  - What was the reason for the outcome of each request?
70. In response to COVID-19, has the board taken any other steps or implemented any other policies regarding licensees or consumers?
71. Has the board recognized any necessary statutory revisions, updates or changes to address COVID-19 or any future State of Emergency Declarations?

## Section 11 – Board Action and Response to Prior Sunset Issues

Include the following:

- Background information concerning the issue as it pertains to the board.



2. Short discussion of recommendations made by the Committees during prior sunset review.
3. What action the board took in response to the recommendation or findings made under prior sunset review.
4. Any recommendations the board has for dealing with the issue, if appropriate.

## Section 12 – New Issues

This is the opportunity for the board to inform the Committees of solutions to issues identified by the board and by the Committees. Provide a short discussion of each of the outstanding issues, and the board's recommendation for action that could be taken by the board, by DCA or by the Legislature to resolve these issues (i.e., policy direction, budget changes, legislative changes) for each of the following:

1. Issues raised under prior Sunset Review that have not been addressed.
2. New issues identified by the board in this report.
3. New issues not previously discussed in this report.
4. New issues raised by the Committees.

## Section 13– Attachments

Please provide the following attachments:

- A. Board's administrative manual.
- B. Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).
- C. Major studies, if any (cf., Section 1, Question 4).
- D. Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 3, Question 15).